

Justice Reinvestment Initiative in Vermont

Presentation to the Justice Reinvestment II Working Group

Results of the Racial Equity in Sentencing Analysis

November 17, 2021



Justice Center
THE COUNCIL OF STATE GOVERNMENTS

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**Justice
Reinvestment
Initiative**
Vermont



Justice Center

THE COUNCIL OF STATE GOVERNMENTS

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

How We Work

- We bring people together
- We drive the criminal justice field forward with original research
- We build momentum for policy change
- We provide expert assistance

Our Goals

- Break the cycle of incarceration
- Advance health, opportunity, and equity
- Use data to improve safety and justice

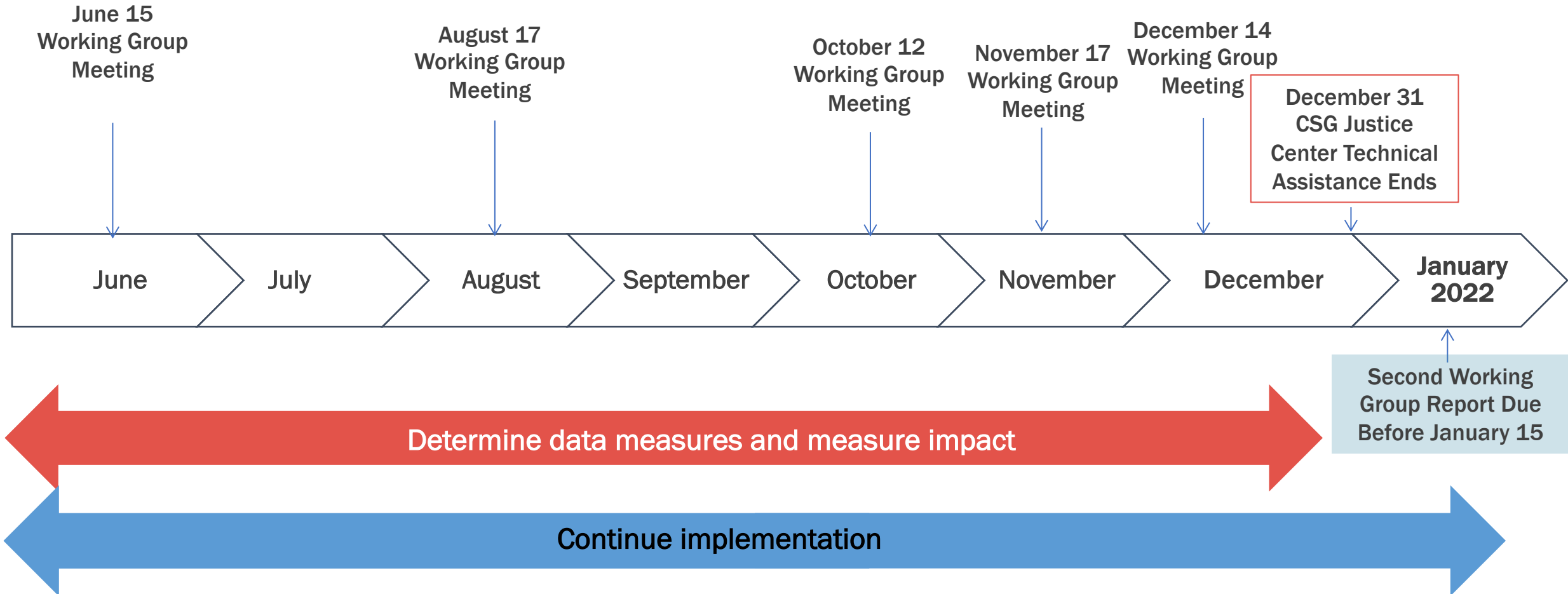


Justice Reinvestment Initiative

A data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism

The Justice Reinvestment Initiative is supported by funding from the U.S. Department of Justice's Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts.

The working group will meet one final time before its second report is due to the legislature in January.



Today's presentation will focus on the results of the CSG Justice Center's analysis of racial equity in sentencing.

Deliverables for the analysis include:



Final Presentation (November meeting of the Justice Reinvestment II Working Group)

- Today's presentation will review key results from quantitative analysis.
- We will present recommendations about how to improve practices to reduce disparities moving forward.



Analysis Report (January 2022)

- Report will provide quantitative results and recommendations in greater detail, as well as documentation of methodology.
- We will provide guidance on how to address data gaps identified during the research process.



Justice Reinvestment Initiative Vermont

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National research indicates that while racial disparities in incarceration have declined since 2000, they remain a persistent and pervasive feature of the U.S. criminal justice system.

5x

Nationally, Black people are
5 times more likely to be
incarcerated in **state prison** than
White people.

7x

Nationally, Black people are
7 times more likely to be
incarcerated in **federal prison** than
White people.

Incarceration for drug offenses is one area in which disparities are particularly pronounced nationally.



Though rates of drug use and sales are similar for Black and White people, Black people are arrested **3–4 times** more frequently than White people for drug offenses.



Nationally, Black people are up to **9 times** more likely to be incarcerated in state prison for drug offenses, relative to White people.

National research shows that differences in sentencing outcomes are one important driver of such disparities.



A large body of work documents that Black defendants, on average, are more likely to receive harsher sentences, *relative to comparable White defendants*.

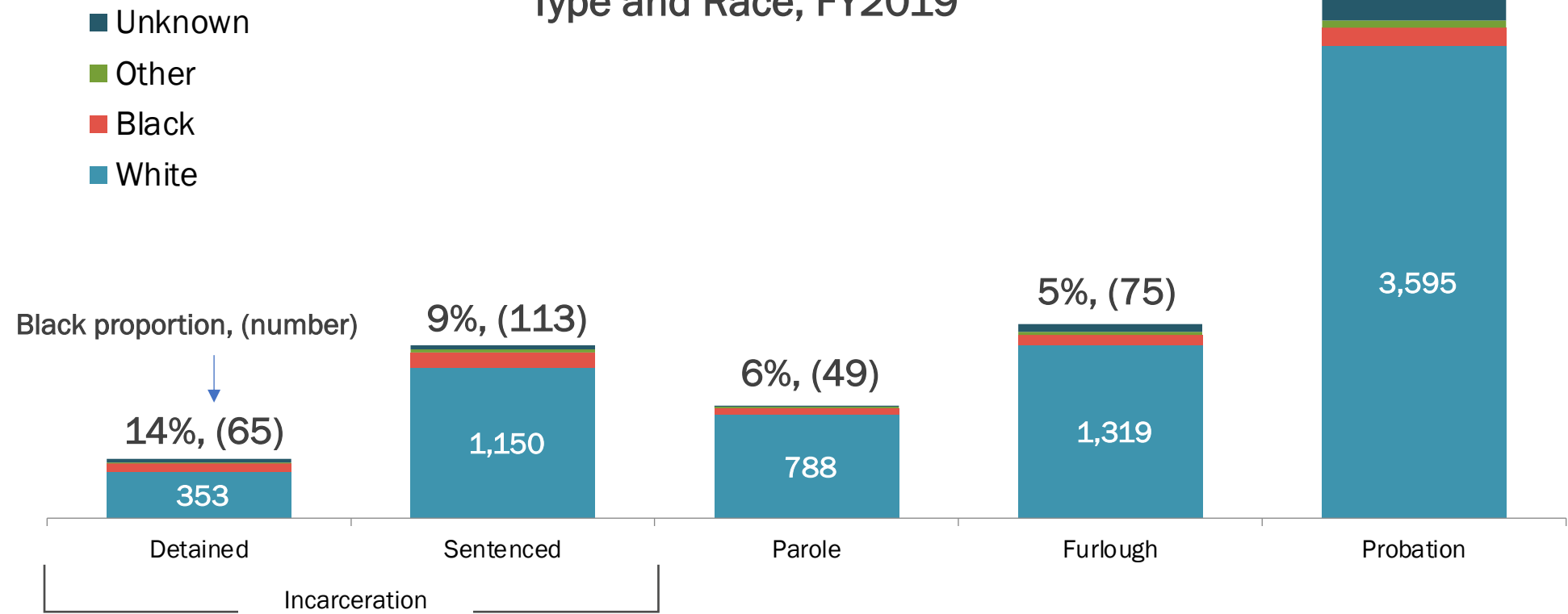


While this difference varies by type of crime and jurisdiction, it is typically found to be statistically significant.

Travis W. Franklin, “The State of Race and Punishment in America: Is Justice Really Blind?,” *Journal of Criminal Justice*, 59 (2018): 18–28; Ryan D. King and Michael T. Light, “Have Racial and Ethnic Disparities in Sentencing Declined?,” *Crime and Justice* 48, no. 1 (2019): 365–437; Michael T. Light, “The Declining Significance of Race in Criminal Sentencing: Evidence from US Federal Courts,” *Social Forces* (2021), <https://doi.org/10.1093/sf/soab018>; Ojmarrh Mitchell, “A Meta-Analysis of Race and Sentencing Research: Explaining the Inconsistencies,” *Journal of Quantitative Criminology* 21, no. 4 (2005): 439–466.

As shown in past CSG Justice Center analysis, Black people are disproportionately represented in all corrections populations in Vermont.

Vermont DOC Snapshot Populations by Type and Race, FY2019

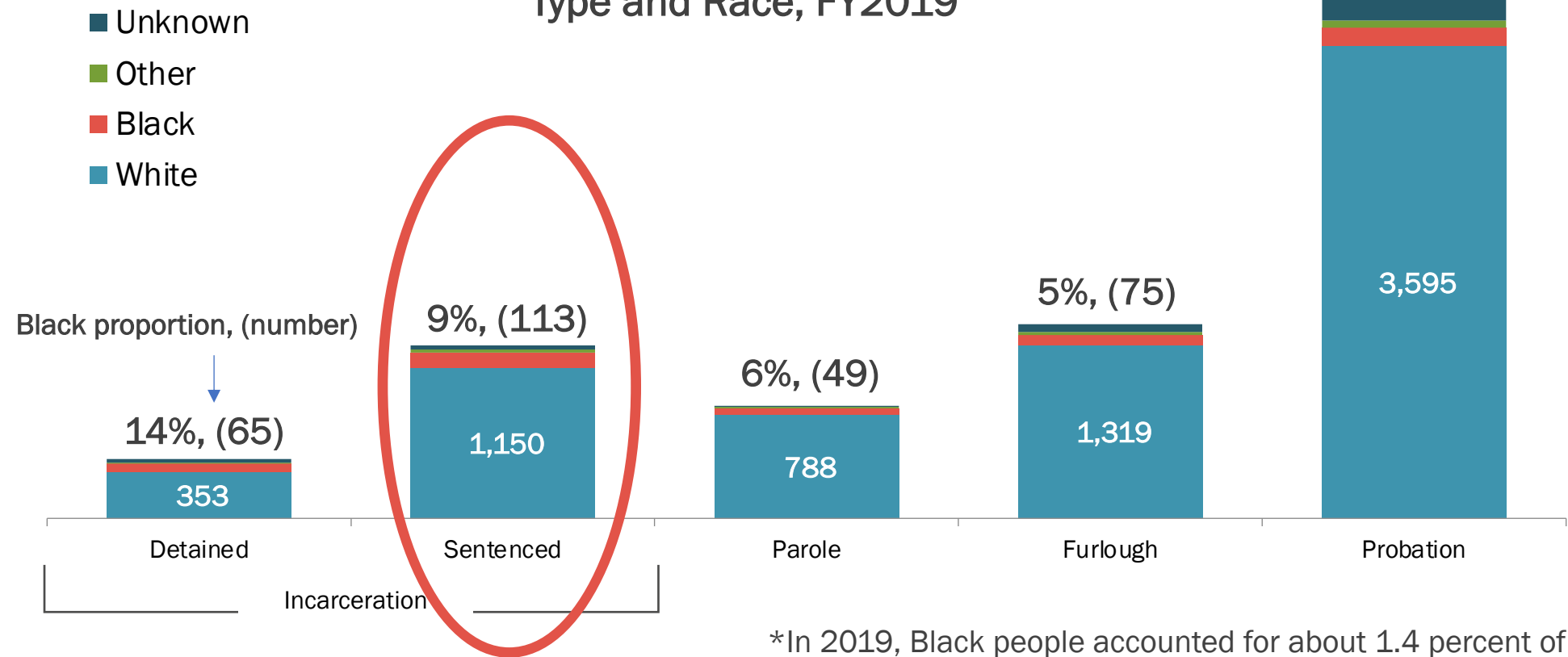


Prior to August 2020, DOC did not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of the Vermont corrections population that would identify as Hispanic.

*In 2019, Black people accounted for about 1.4 percent of Vermont’s general population.

Specifically, Black people are over **6 times** more likely to be incarcerated in Vermont, relative to White people.

Vermont DOC Snapshot Populations by Type and Race, FY2019

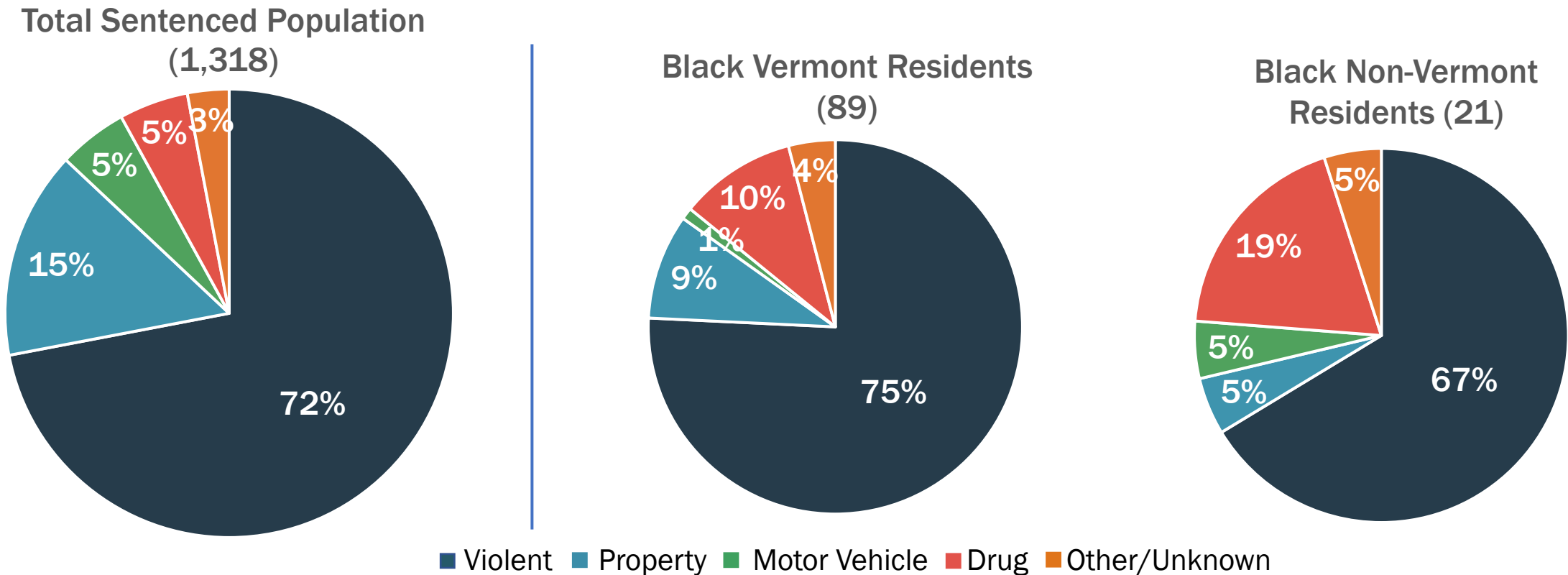


Prior to August 2020, DOC did not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of the Vermont corrections population that would identify as Hispanic.

*In 2019, Black people accounted for about 1.4 percent of Vermont’s general population.

Black people are also disproportionately incarcerated for drug offenses relative to Vermont's total sentenced population.

Vermont DOC Sentenced Incarceration Snapshot Population by Offense Type
for Black Vermonters and Non-Vermonters FY2019



Stakeholder engagement throughout Justice Reinvestment II also highlighted the need for a more in-depth analysis of racial disparities in Vermont.

- For example, stakeholders have frequently reported to CSG staff a perception that any racial disparities in Vermont's criminal justice system - particularly for drug offenses - are due to crimes committed by people from *out-of-state*.
- As such, any identified racial disparities do not reflect the unequal treatment of Vermonters by the state's criminal justice system.



Justice Reinvestment Initiative Vermont

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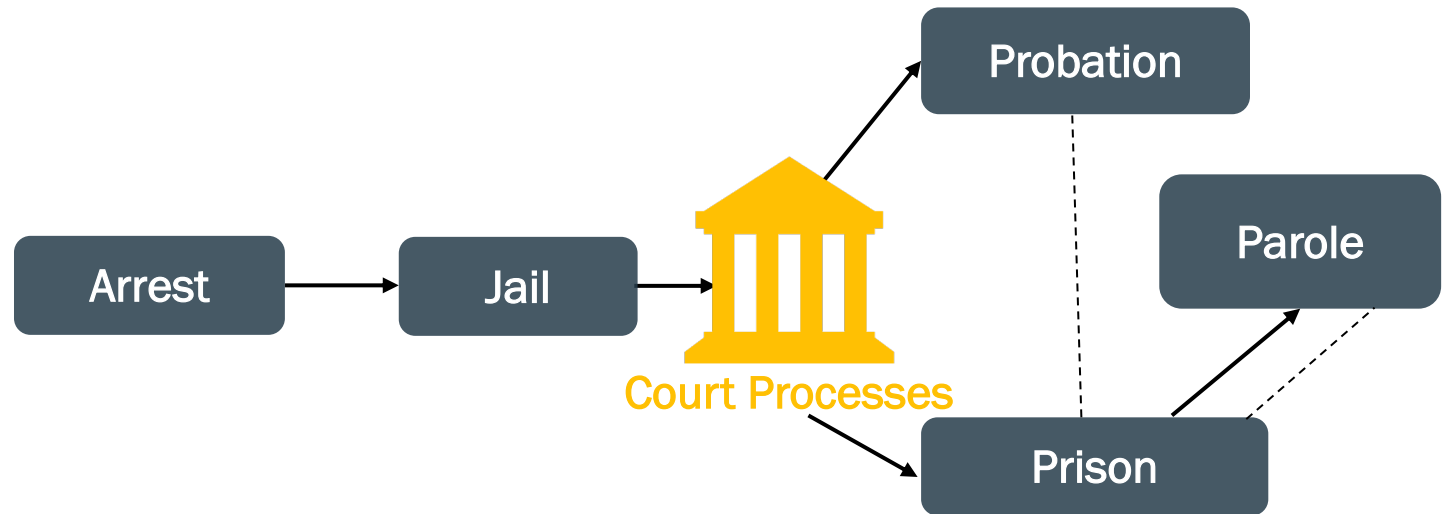
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Racial disparities in the criminal justice system compound at each decision-making point and are driven by a number of system factors.



Criminal Justice System Factors

- Statutes
- Policies and Practices
- Implicit and Explicit Bias
- Use of Discretion



This analysis strategically focuses on disparities in sentencing that can be addressed by policy and practice changes within the criminal justice system.

Specifically, it examines three key decision-making points in the Vermont court system.



Case Inflow

Analysis question: Are there racial disproportionalities in the volume of felony and misdemeanor cases filed?

Conviction

Analysis question: Are there racial disparities in conviction across offense types, after accounting for key case and defendant characteristics, including Vermont residency and criminal history?

Incarceration

Analysis question: Are there racial disparities in incarceration sentences across offense types, after accounting for key case and defendant characteristics, including Vermont residency and criminal history?

The primary data source for this analysis is the Vermont Judiciary, with additional information from the Department of Public Safety.

Source	Judicial System (Criminal Division)	Department of Public Safety
Timeframe	2014–2019	Lifetime records
Objective	Examine case processing and sentencing outcomes by race (including conviction, incarceration, and incarceration length)	Develop criminal history measure for sentencing analysis.

It is important to note that this analysis focuses on disparities at sentencing between Black and White defendants only.

This is the result of two primary limitations:

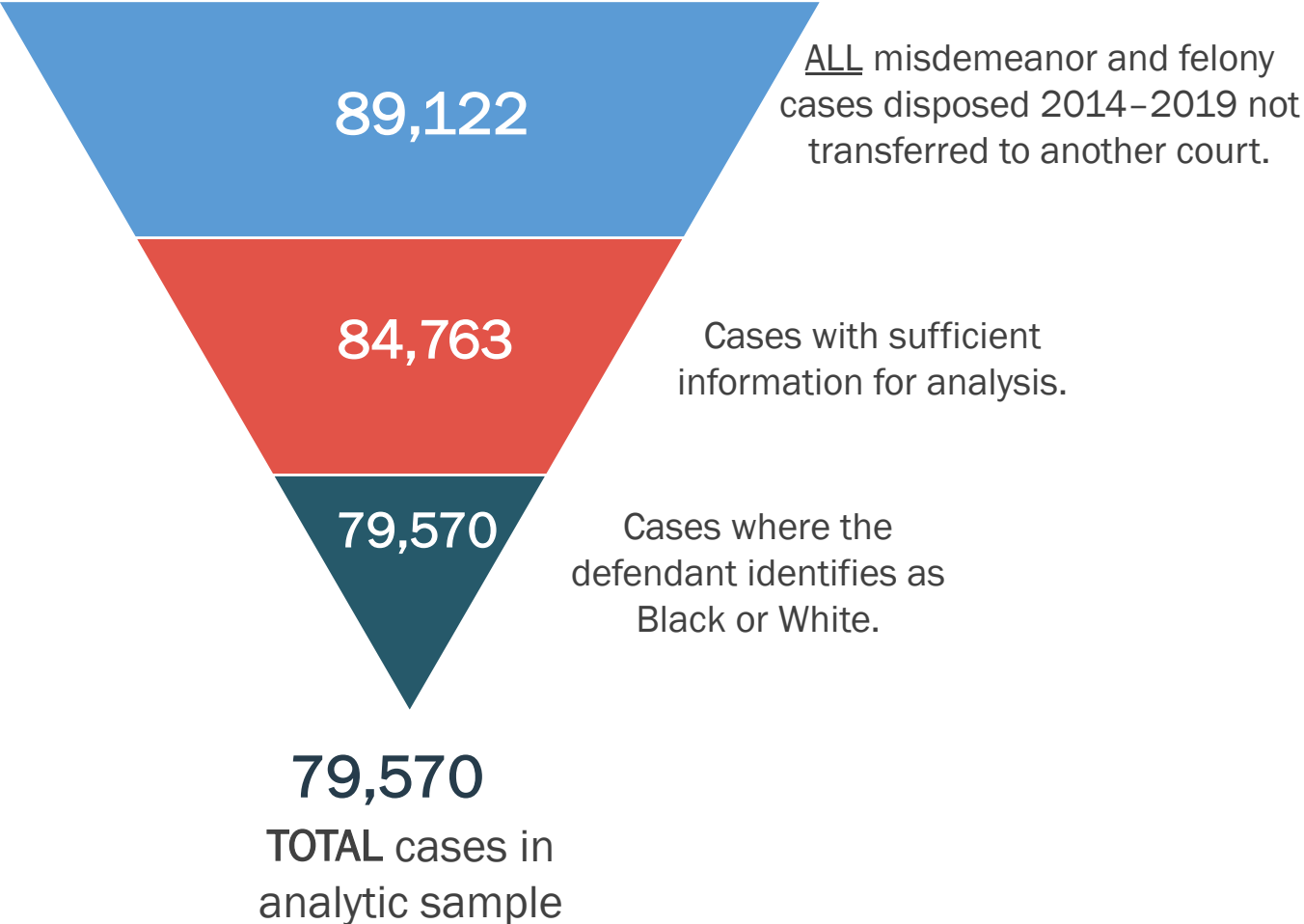
Sample Size

- The methods used in this analysis require a minimum sample size. Other racial and ethnic groups in the initial dataset did not contain enough individuals for an appropriate sample size.

Data Availability

- The Vermont Judiciary does not receive data from law enforcement on Hispanic ethnicity separate from race. Prior to August 2020, DOC also did not collect data on Hispanic ethnicity separate from race. As a result, the data used for this analysis likely underrepresents the proportion of people who would identify as Hispanic, which limits any conclusions regarding Hispanic disparities in Vermont's criminal justice system.

The analytic sample includes 79,570 individual cases of which 6 percent are Black and 94 percent are White.



Defendant Characteristics (N = 79,570)		
Race	Black	6%
	White	94%
Gender	Female	28%
	Male	72%
Residence at Case Filing	Vermont	91%
	Out-of-State	9%
Average Age at Case Filing	34.4 years	

CSG Justice Center staff used two quantitative methods to examine racial disparities in sentencing in Vermont.



Relative rate index

- Method used to examine whether different groups experience an outcome at similar rates
- Often used to compare justice system trends (e.g., incarceration rates)



Regression analysis

- Statistical method for examining the relationship of one variable to another and assessing group differences
- Helps determine what factors do or do not play a role in any observed differences

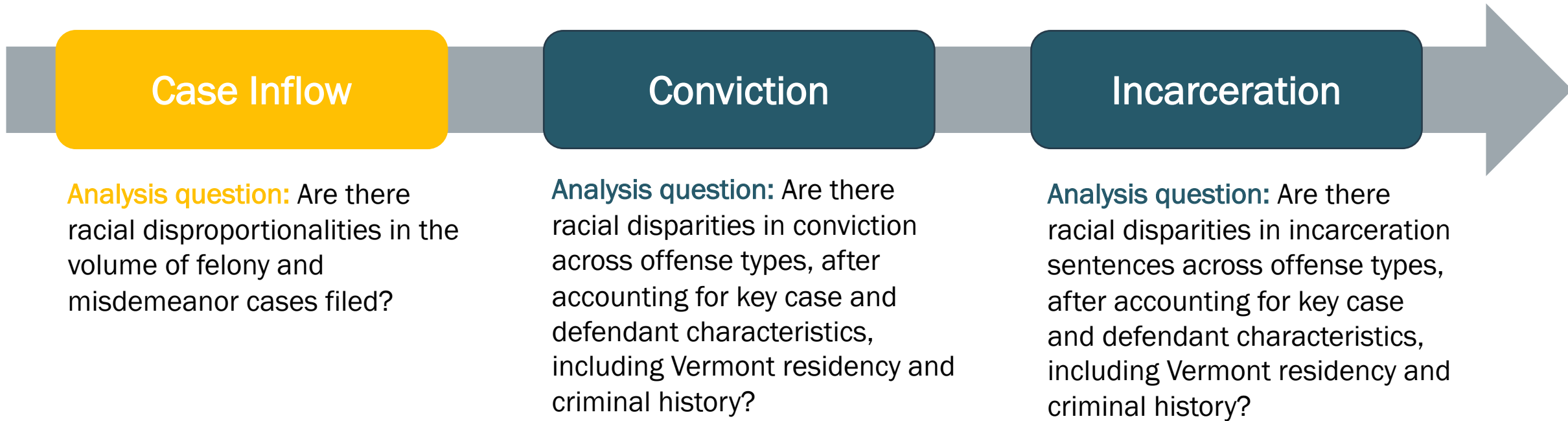


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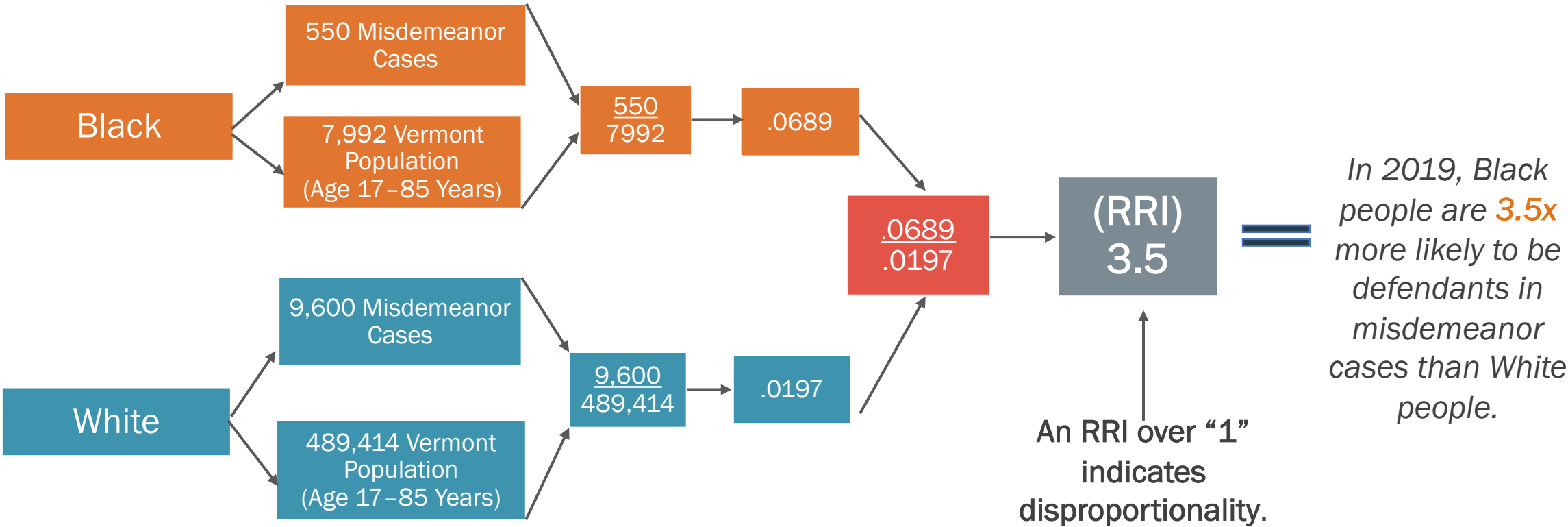
Relative Rate Index Results



A relative rate index (RRI) compares events or outcomes between groups.

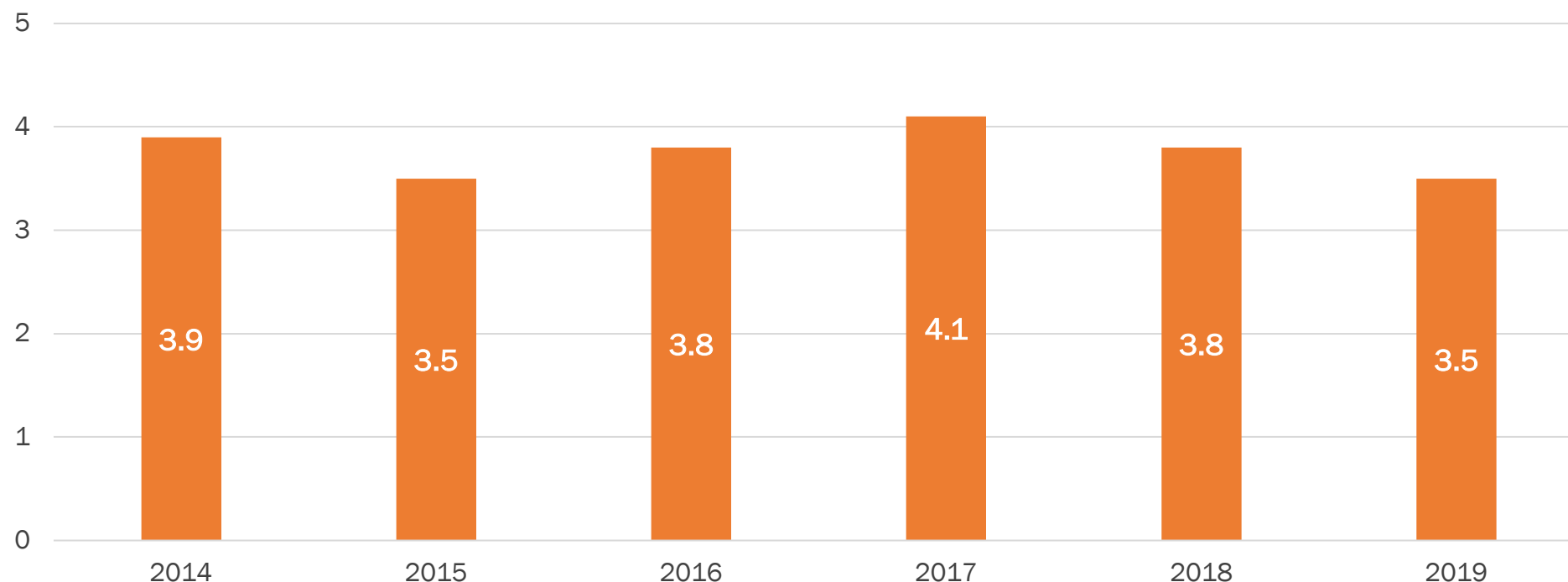
By using RRI, we can calculate the rate at which Black people are represented at a point in the justice system and then compare that rate to White people at the same point.

RRI for Defendant Representation in Misdemeanor Cases by Race, 2019



In Vermont, Black people are disproportionately represented as defendants in misdemeanor cases relative to White people.

Black-White Relative Rate Index
Misdemeanor Cases 2014–2019



*In 2019, Black people were **3.5 times** more likely than White people to be defendants in a misdemeanor case.*

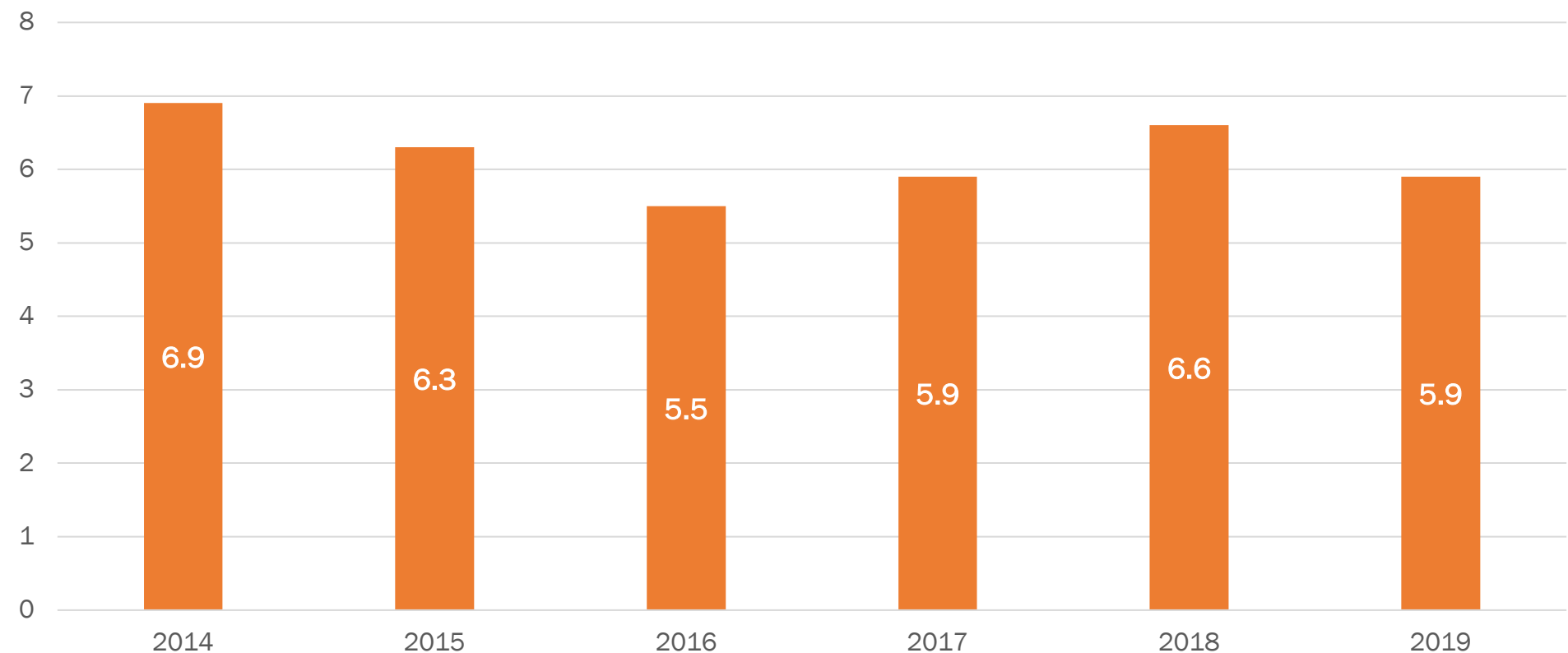
*These results **are not** adjusted for additional case or defendant characteristics.*

N=62,610

CSG Justice Center analysis of Vermont's Judiciary disposition data

Similarly, Black people are disproportionately represented as defendants in felony cases relative to White people.

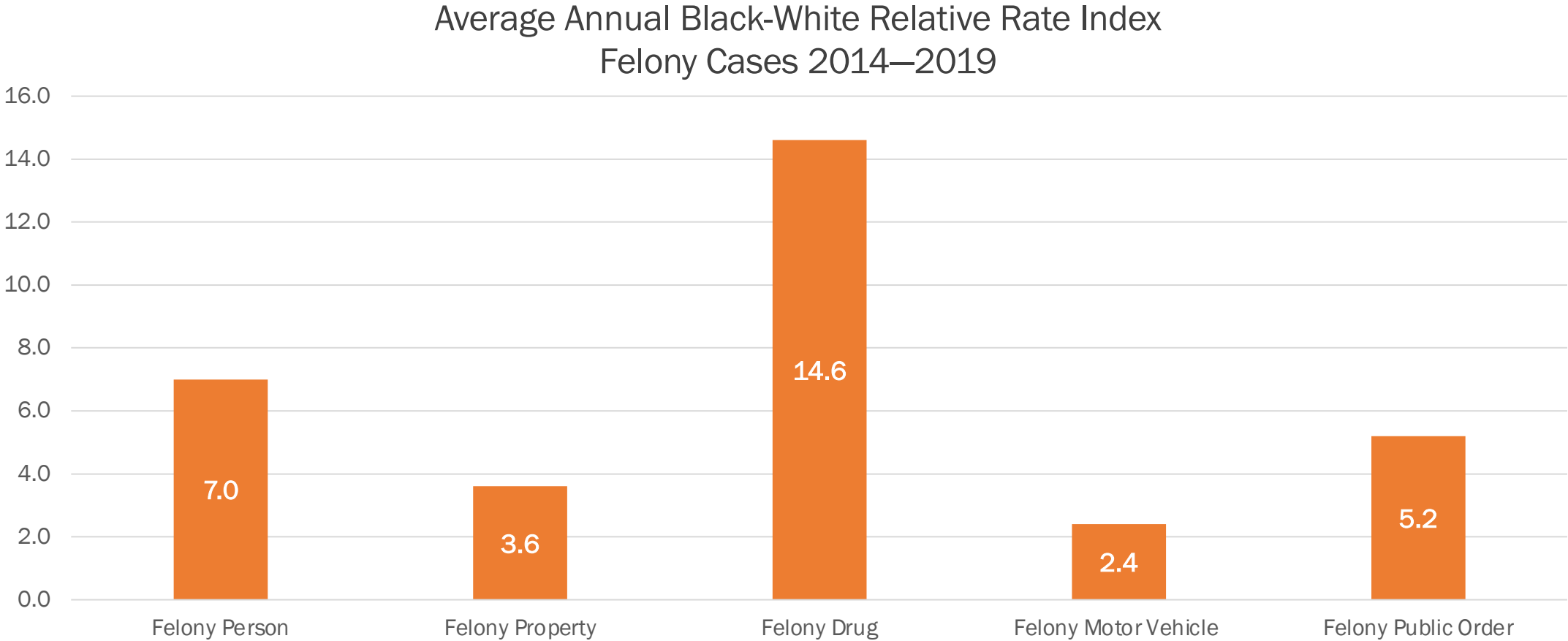
Black-White Relative Rate Index
Felony Cases 2014–2019



*In 2019, Black people were **5.9 times** more likely than White people to be defendants in a felony case.*

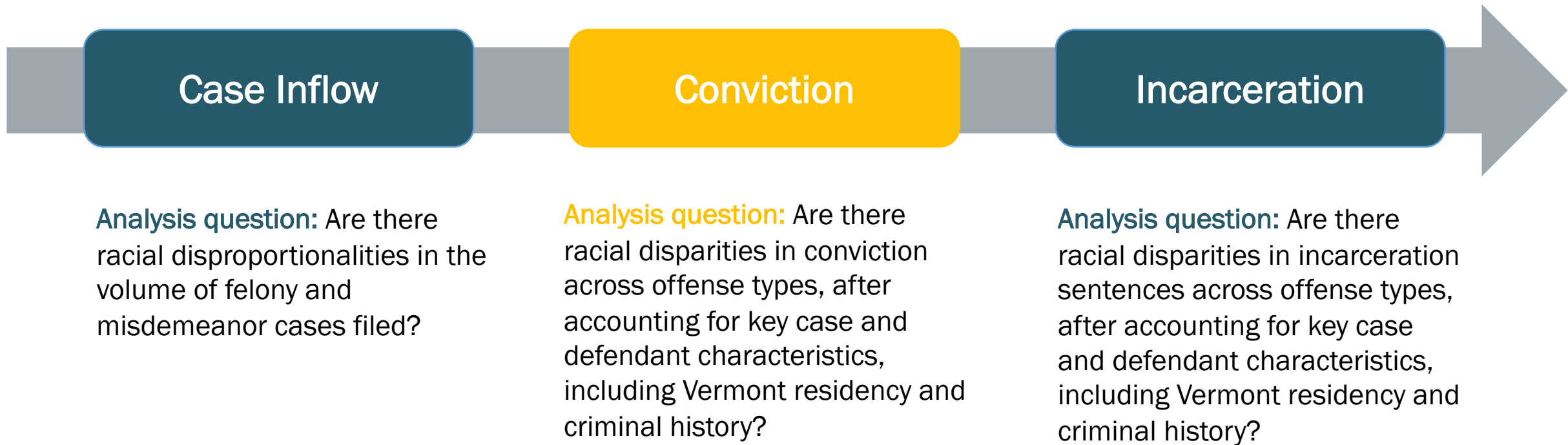
These results **are not** adjusted for additional case or defendant characteristics.
N = 16,960

Specifically, Black people were over **14 times** more likely than White people to be defendants in a felony drug case each year.



These results **are not** adjusted for additional case or defendant characteristics.
N = 16,960

Regression Results



Regression analysis makes it possible to compare outcomes between two groups, after accounting for group differences.

By using regression, we can account for key observable differences—such as type of offense and Vermont residential status—to make an “apples to apples” comparison between Black and White defendants.



Using regression, this analysis examined three case processing outcomes.



Likelihood of conviction

- Alternatives include case dismissal or acquittal



Likelihood of “straight” incarceration (if convicted)

- Alternatives include sentences to probation, pre-approved furlough, a split sentence, or a suspended or deferred sentence



Length of incarceration (if sentenced to incarceration)

- Outcome examined in cases for which a minimum and maximum sentence were available.

The regression analysis controls for important case and defendant characteristics.

Case Characteristics
Offense type/severity (For most severe offense filed)
Total charges filed
Disposition year
County

Defendant Characteristics
Race
Sex
Age
Vermont resident or out-of-state resident (At case filing)
Criminal history*

**In addition to the main analysis results presented, we ran a secondary set of analyses that restricted the data to Vermont residents only and accounted for all control variables listed here as well as defendants’ in-state criminal history. Criminal history information was analyzed for Vermont residents only and therefore could not be accounted for in the main analysis, which includes data from both Vermont residents and out-of-state people. Results from secondary analyses will be available in our accompanying report.*

To provide rigorous results, CSG Justice Center staff completed two complementary sets of regression analyses.

This presentation focuses on the **primary results** of the analysis. **Secondary results** are shown only when they were substantively different from those in the primary analyses.

Primary Results



- ✓ Vermont and out-of-state residents
- ✓ Accounts for all control variables, except for criminal history

Secondary Results



- ✓ Vermont residents only
- ✓ Accounts for all control variables and in-state criminal history

**Comprehensive results from secondary analyses will be available in our accompanying report.*

CSG Justice Center staff examined outcomes across 10 offense categories; however, this presentation only presents offenses where a statistically significant Black-White difference was identified.

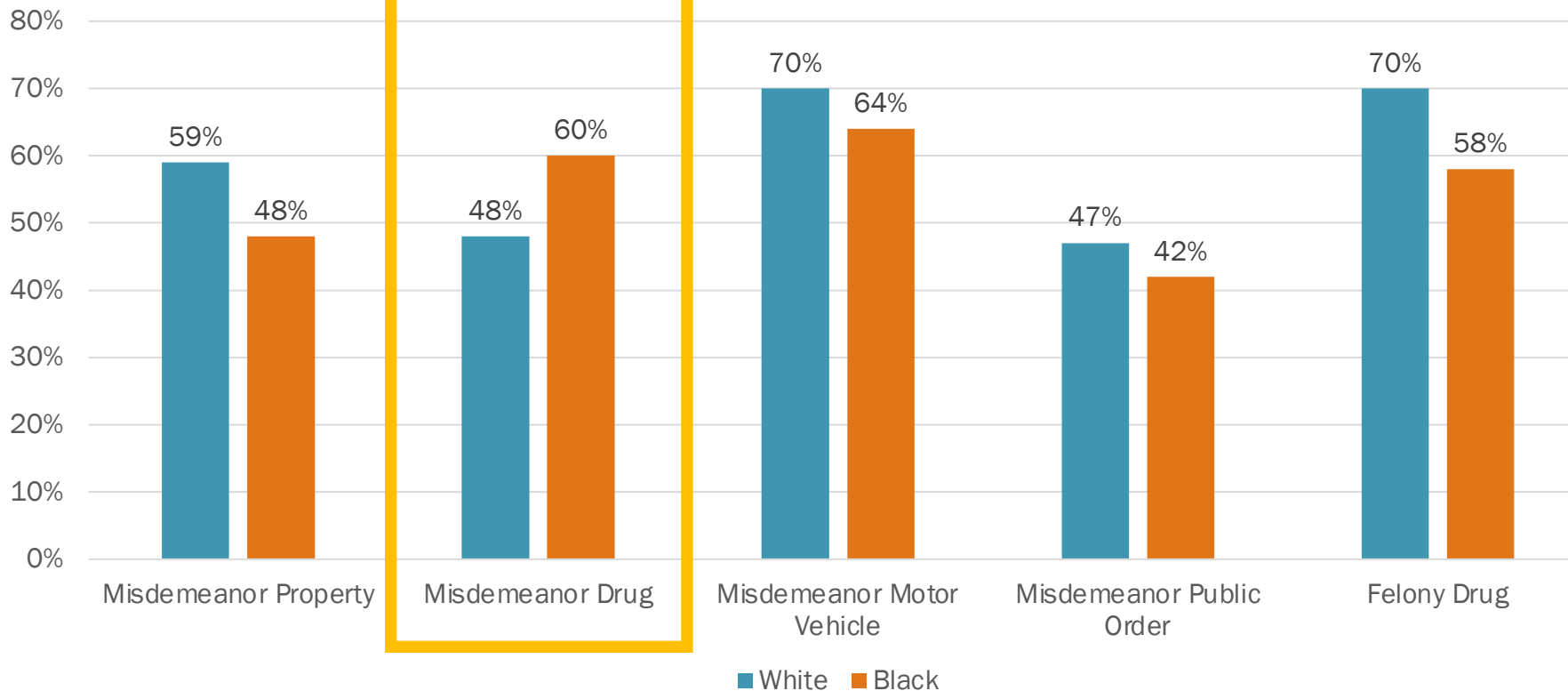
Offense Category	
Misdemeanor Person	Felony Person
Misdemeanor Property	Felony Property
Misdemeanor Drug	Felony Drug
Misdemeanor Motor Vehicle	Felony Motor Vehicle
Misdemeanor Public Order	Felony Public Order

Statistical significance means that we have sufficient evidence to rule out the possibility that an observed difference is due to random chance.

**Note: Misdemeanor and felony weapons cases were excluded because there were too few cases to analyze.*

Results of conviction analysis indicate that this particular decision-making point is *not* a major driver of Black-White incarceration disparities.

Probability of Conviction by Offense Type and Race
2014–2019



Results here are mixed: Black people are *more likely* to face conviction for misdemeanor drug offenses, but *less likely* to face conviction for four other offense categories.

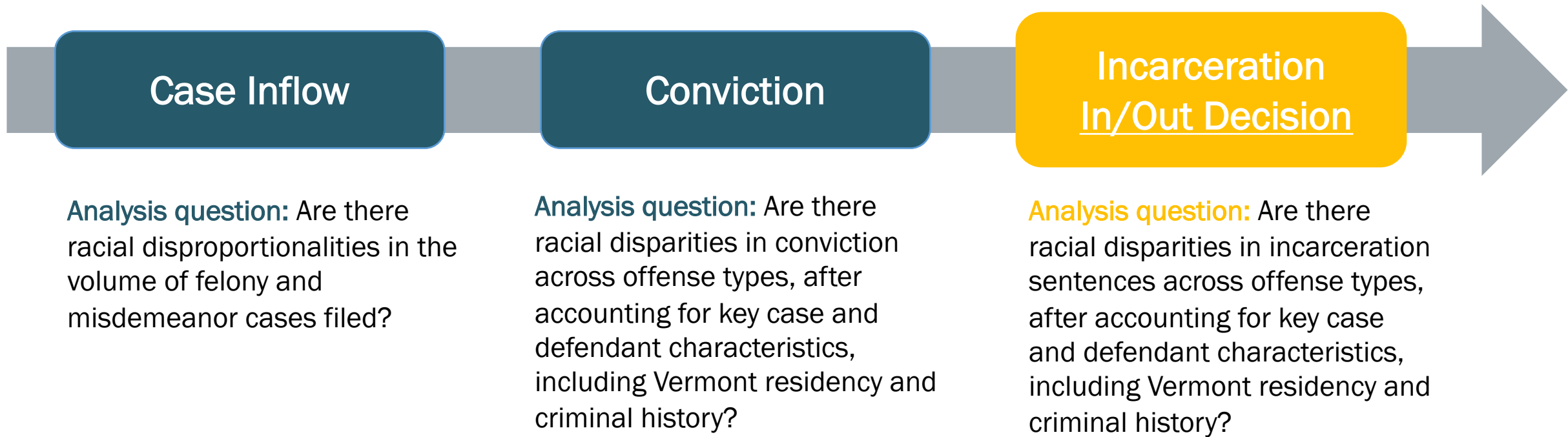
These results do not substantively change when the analysis is restricted to Vermont residents only and accounts for criminal history.

*These results are adjusted for the case and defendant characteristics summarized earlier and are statistically significant.

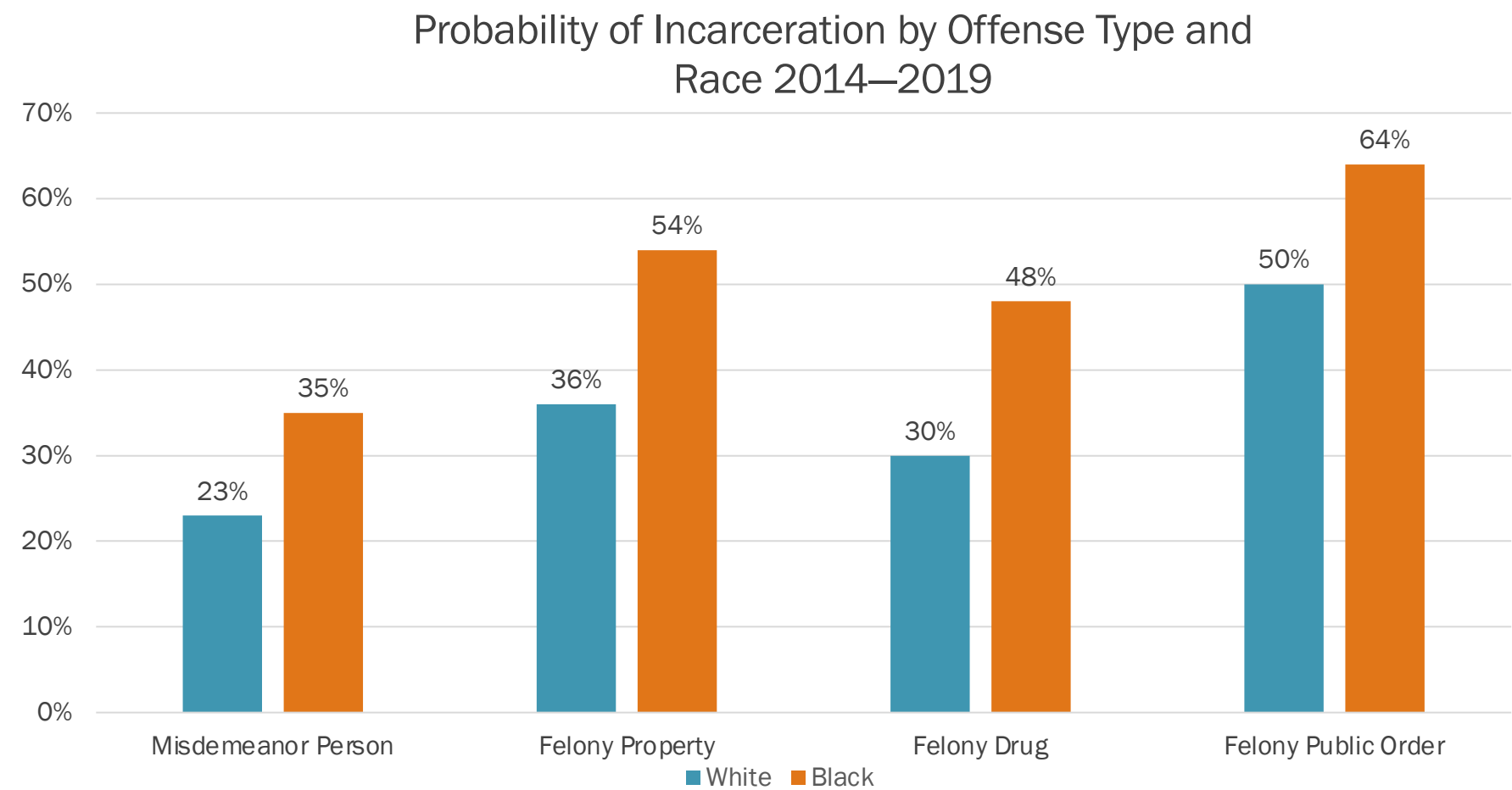
N=79,514

CSG Justice Center analysis of VT Judiciary disposition data.

Regression Results



After adjusting for key characteristics, Black people are more likely to face incarceration for certain felony offenses.

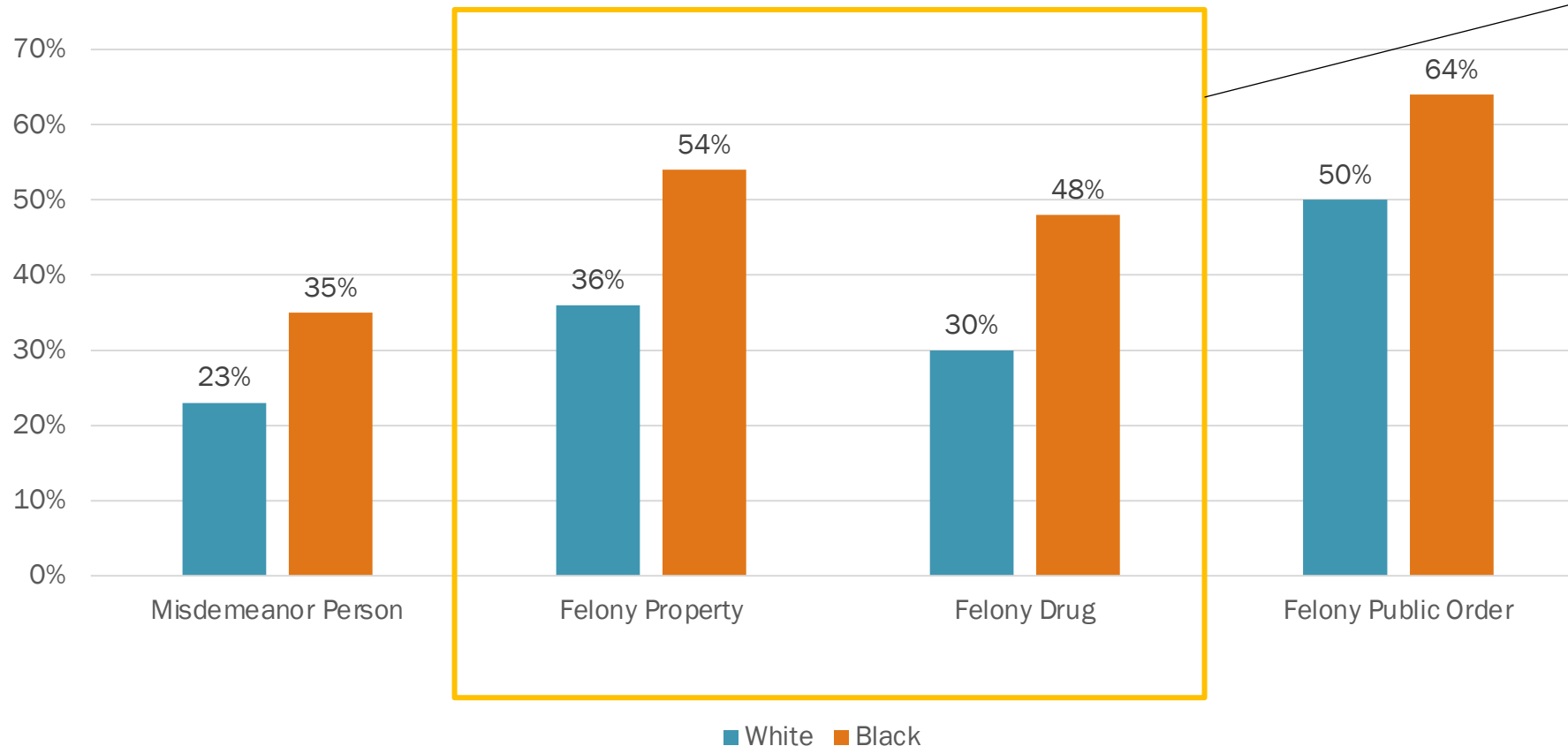


These results do not substantively change when the analysis is restricted to Vermont residents only and accounts for criminal history.

**These results are adjusted for the case and defendant characteristics summarized earlier and are statistically significant.*

In particular, Black people are more likely to be incarcerated for felony drug and property offenses.

Probability of Incarceration by Offense Type and Race
2014–2019



Black people are **18 percentage points** more likely to be incarcerated for felony drug and property offenses.

*These results do **not** substantively change when the analysis is restricted to Vermont residents only and accounts for criminal history.*

N=49,594

CSG Justice Center analysis of VT Judiciary disposition data.

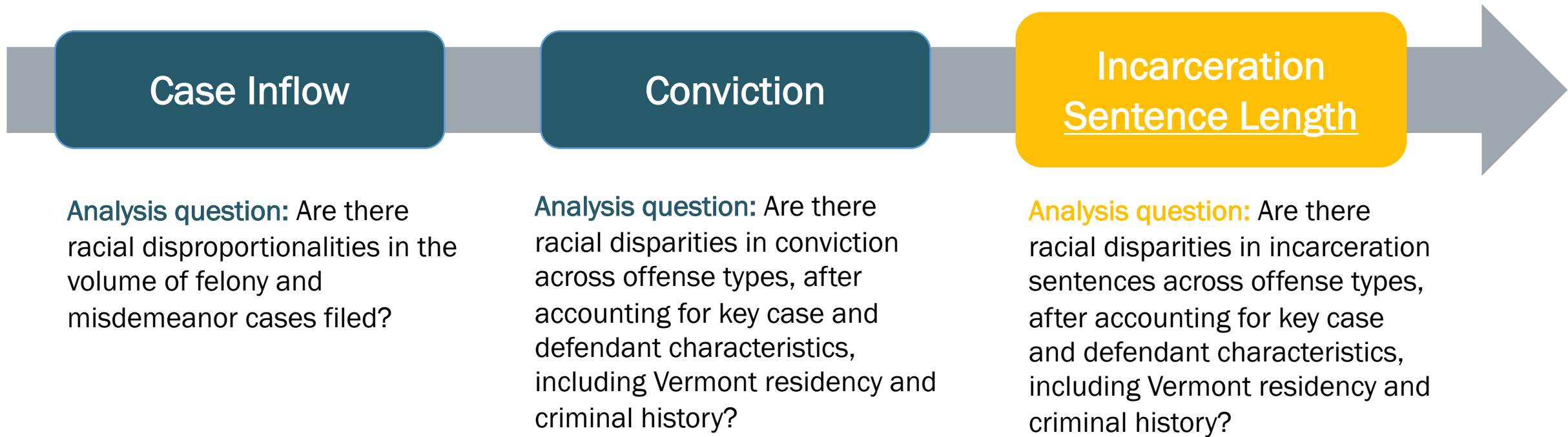
For felony drug cases in which a Black defendant is sentenced to incarceration, the most common top filed charge is cocaine possession or sales.

Most Common Felony Drug Offenses, by Defendant Race
For Cases Resulting in Incarceration (N=565)

White Defendants (N=436)	Freq. (Pct.)
Heroin—possession 200 mgm or more	63 (15%)
Heroin—sale less than 200 mgm	52 (12%)
Heroin—sale or delivery 200 mgm or more	46 (11%)
Cocaine—possession 2.5 gm or more	31 (7%)
Cocaine—sale less than 2.5 gm	30 (7%)

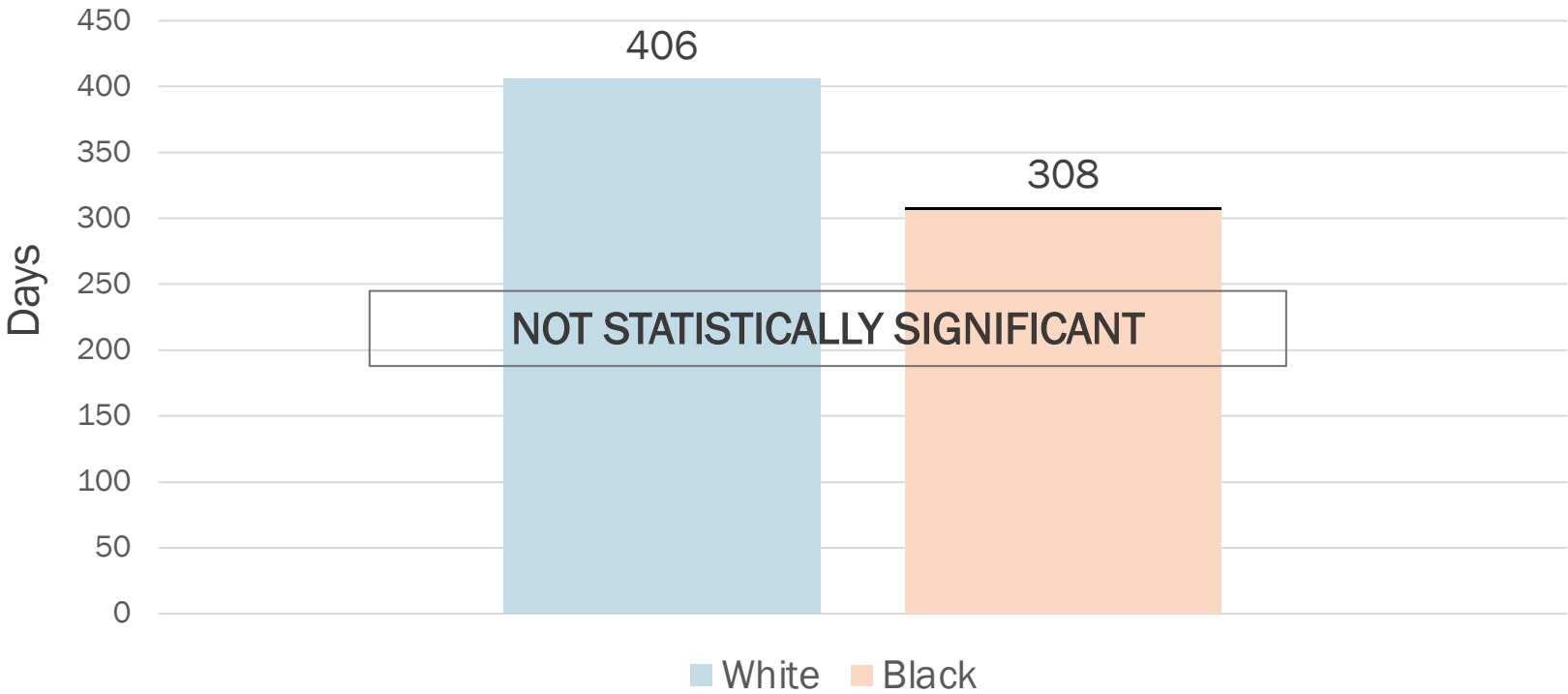
Black Defendants (N=129)	Freq. (Pct.)
Cocaine—possession 2.5 gm or more	30 (24%)
Cocaine—sale less than 2.5 gm	21 (16%)
Heroin—trafficking	17 (13%)
Heroin—sale less than 200 mgm	16 (12%)
Heroin—possession 1 gm or more	7 (5%)

Regression Results



After examining the 10 offense categories detailed above, we did not find any consistent, statistically significant Black-White differences in incarceration sentence length.

Minimum Incarceration Sentence Length in Days for Felony Property Offenses by Race
Adjusted for Criminal History, 2014–2019



*These results are restricted to Vermont residents only and **are adjusted** for case and defendant characteristics summarized, as well as criminal history.*

N=10,062 Source: CSG Justice Center analysis of VT Judiciary disposition data.

Analysis results indicate that there are observable and substantively important Black/White disparities in contact with criminal courts and sentencing outcomes in Vermont.

Overrepresentation in criminal cases:

- Results show that Black people in Vermont, on average, are **overrepresented** in criminal court cases. In 2019, Black people in Vermont were **3.5 times** more likely to be defendants in a misdemeanor case and **5.9 times** more likely to be defendants in a felony case.

Conviction:

- Results of conviction analysis indicate that this particular decision-making point is *not* a major driver of Black-White incarceration disparities.

Analysis results indicate that there are observable and substantively important Black/White disparities in contact with criminal courts and sentencing outcomes in Vermont.

Incarceration (In/Out Decision)

- Results show that on average, Black people are more likely to face incarceration for four offense categories. The disparity for felony drug and property cases is particularly pronounced: Black people are **18 percentage points more likely to face incarceration** in such cases, relative to White people.

Incarceration (Sentence Length)

- There was no evidence that suggests there is a Black/White disparity in minimum incarceration sentence length imposed, in Vermont.

These results provide key insights that Vermonters can use to adjust criminal justice policies and practices to improve racial disparities.

6x

In Vermont, Black people are **6 times more likely to be incarcerated**, relative to White people.



Disparities are present in the cases coming to Vermont courts: annually, Black people are over **14 times more likely to be a defendant in a felony drug case** and over 7 times more likely to be a defendant in a person case, relative to White people.



Once before the court, Black people are not more likely to be convicted, for most offenses, or sentenced to longer incarceration terms for any offense. Importantly, however, there are **statistically significant racial disparities in who receives an incarceration sentence**, particularly for felony property and drug offenses.

*These results **do not change** when we examine only Vermont residents and account for criminal history, indicating that racial disparities at sentencing exist **independent** of these two factors.*



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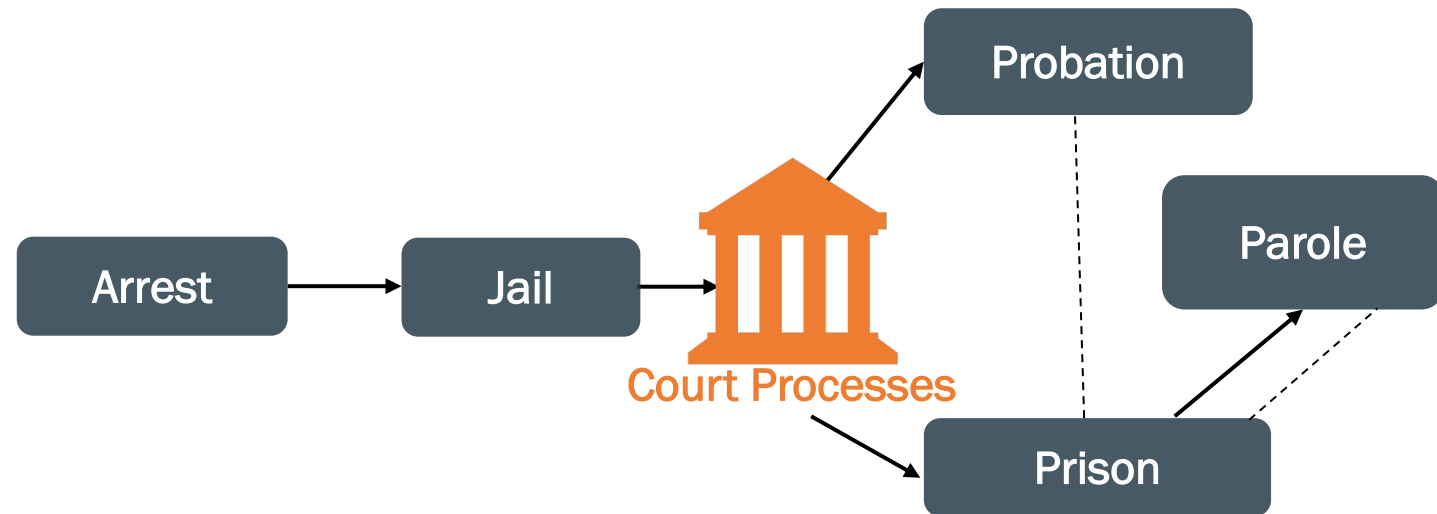
Informed by the results of this analysis, Vermont can enact targeted reforms that address the cumulative impact of racial disparities at sentencing.

The following recommendations address **disparities at sentencing** identified in this analysis by focusing on criminal justice system factors that can be changed within the system itself.



Criminal Justice System Factors

- Statutes
- Policies and Practices
- Implicit and Explicit Bias
- Use of Discretion



Recommendation: Apply a race equity lens to the reclassification of drug offenses.

Key Vermont Findings:



- In 2019, Black people were over 14 times more likely than White people to be defendants in a felony drug case each year.
- After adjusting for case and defendant characteristics, Black defendants are more likely to be incarcerated for a felony drug offense than White defendants.
- This finding mirrors national trends indicating that despite similar rates of drug use and sales for Black and White people, Black people are more likely to be arrested and incarcerated for drug offenses.

Recommendation:

Vermont is currently considering a classification structure for drug offenses. The state should utilize the results of this analysis to apply a racial equity lens to the classification process for drug offenses by

- Reclassifying lower-to-mid level felony drug possession offenses to misdemeanors; and
- Reevaluating the threshold of the highest level of possession and sales to better reflect significant amounts of drugs intended for distribution.

Several states have reclassified drug possession from a felony to a misdemeanor.

Five states have reclassified all possession offenses to a misdemeanor—regardless of amount—up to the third conviction. Two of these states have seen significant reductions in racial disparity.

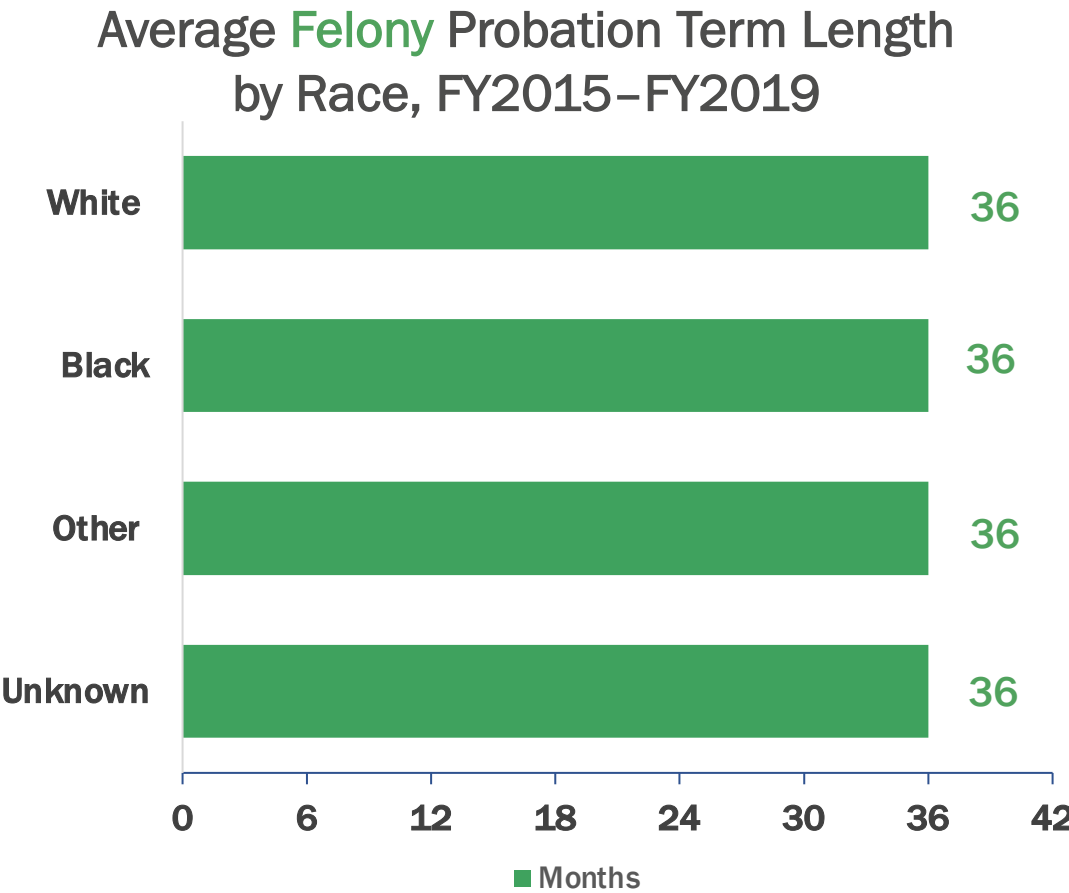
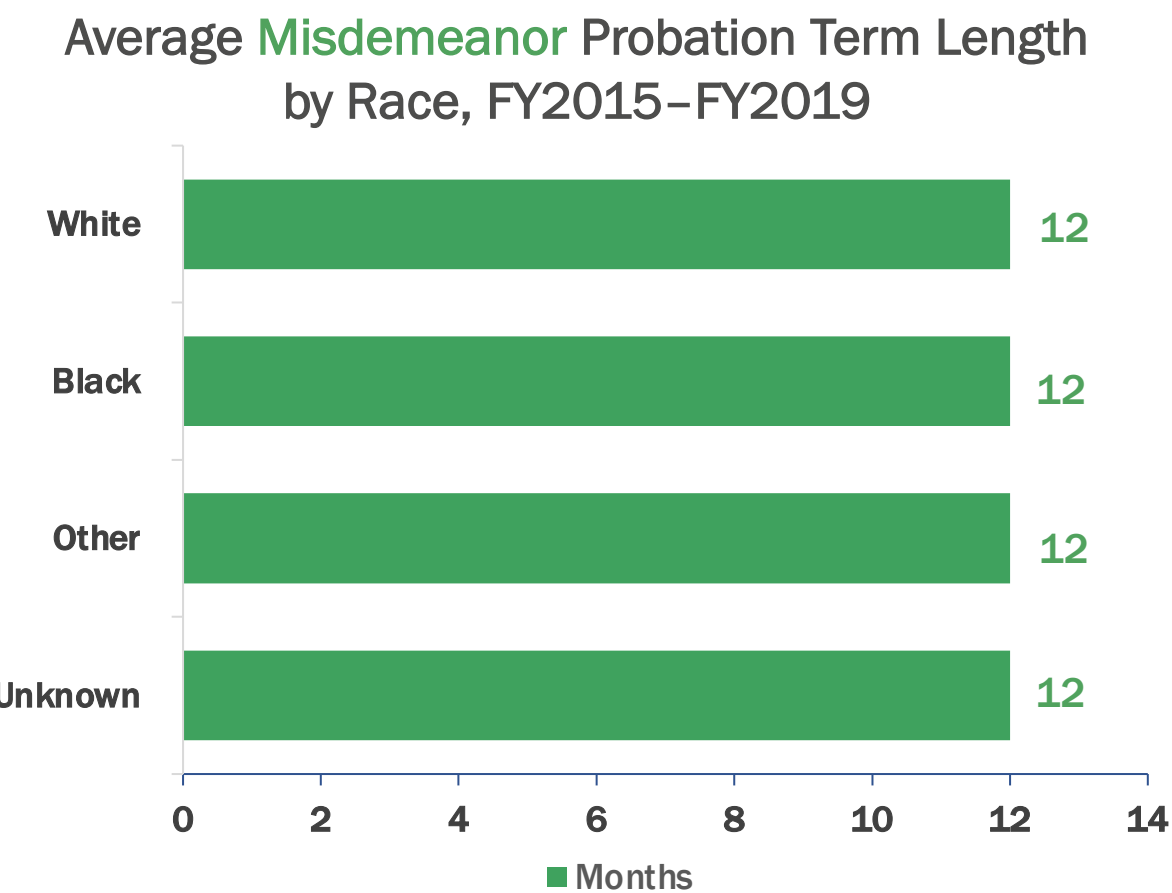


In California, Proposition 47 (2014) implemented changes to felony sentencing laws, which included the reclassification of drug offenses. It has contributed to **substantial reductions in racial disparities in arrests, jail bookings, and incarceration.**



Oregon reclassified drug possession from a felony to a misdemeanor in House Bill 2355 (2017). Since this law's implementation, there has been a **61 percent decrease in racial and ethnic disparities** in felony convictions.

In Vermont, statutory sentencing guidance seems to have ensured that there are no racial disparities in **misdemeanor or felony probation** term lengths.



The Council of State Governments Justice Center analysis of disposition data from the Vermont Judiciary. 28 V.S.A. § 205.

Recommendation: Establish non-binding sentencing guidance or presumptive probation for certain drug and property offenses.

Key Vermont Findings:



- Black defendants are more likely to be incarcerated for certain felony offenses, including property or drug offenses.
- Non-binding statutory sentencing guidance seems to have ensured that there are no racial disparities in misdemeanor or felony probation term lengths in Vermont. This is in-line with research indicating that sentencing guidelines reduce racial disparities by providing structure to inform judicial discretion.

Recommendation:

To address racial disparities in incarceration for felony drug and property offenses for similarly situated defendants, Vermont should pursue either non-binding sentencing guidance or presumptive probation for certain offenses to inform discretion related to incarceration decisions.

In addition to statutory changes, there are other ways Vermont could begin to understand and address racial disparities at sentencing.

Recommendation: Identify racial disparities in diversion and pretrial services.

- Studies have found that Black, Indigenous, and People of Color (BIPOC) are often less likely to receive diversion than White people.
- Vermont should require the collection and reporting of race and ethnicity data in the Attorney General's Pretrial Services and Court Diversion Report, as well as in any other statewide diversion programs, for the purpose of identifying and addressing disparities in program access and use by county.

Recommendation: Develop internal guidance to increase consistency in charging and plea-bargaining decisions within state's attorneys' offices.

- Ninety-nine percent of cases in Vermont are resolved through the plea-bargaining process.
- State's attorneys should explore the use of internal guidance to increase consistency in charging and plea-bargaining decisions. Guidance should focus on when and what to charge, particularly for drug-related cases, as well as provide a framework for guiding discretion during the plea-bargaining process.
- To monitor implementation of internal guidance, offices should regularly collect and examine charging and plea-bargaining data as well as consider establishing a process for internal review prior to charging.

Vermont faces ongoing challenges related to the collection, analysis, and use of racial disparity data.

Data-related recommendations include:

- Expand availability of Hispanic ethnicity data to law enforcement and the courts.
- Invest in staffing and system improvements necessary to increase future data collection and analysis capacity.
- Collect and analyze sentencing data statewide, as well as by judicial district.
- Identify opportunities to publish racial disparity data, including an annual report to benchmark and monitor progress.
- Engage impacted communities in the collection of quantitative and qualitative data, as well as the development and implementation of racial disparity related policy changes.
- Use data and community engagement to inform judicial training to support consistent decision making.

These recommendations are strategic, data-driven ways Vermont can begin to create a more equitable criminal justice system.

However, the sentencing disparities identified in this analysis are only [one](#) driver of racial disparities in incarceration in Vermont.

Two additional efforts will help Vermont address disparities at other points in the system:

1. The [Office of Racial Justice Statistics](#) proposed by the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel (RDAP)
2. The [Vermont Justice Reinvestment Initiative: Reducing Violent Crime by Improving Justice System Performance](#) project through the Department of Public Safety, Vermont Network Against Domestic and Sexual Violence, and CSG Justice Center



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The working group will have one final meeting before concluding CSG Justice Center's Justice Reinvestment II technical assistance.



December 14

- Conclude any final discussions related to parole for older adults, the racial equity analysis, and reinvestment funding recommendations.
- Review final CSG Justice Center wrap-up presentation. Discuss and finalize next steps for the working group's [January 15, 2022](#), report to the legislature.

Thank You!

Join our distribution list to receive updates and announcements:

<https://csgjusticecenter.org/resources/newsletters/>

For more information, please contact Madeleine Dardeau mdardeau@csg.org or Lorretta Sackey at lsackey@csg.org

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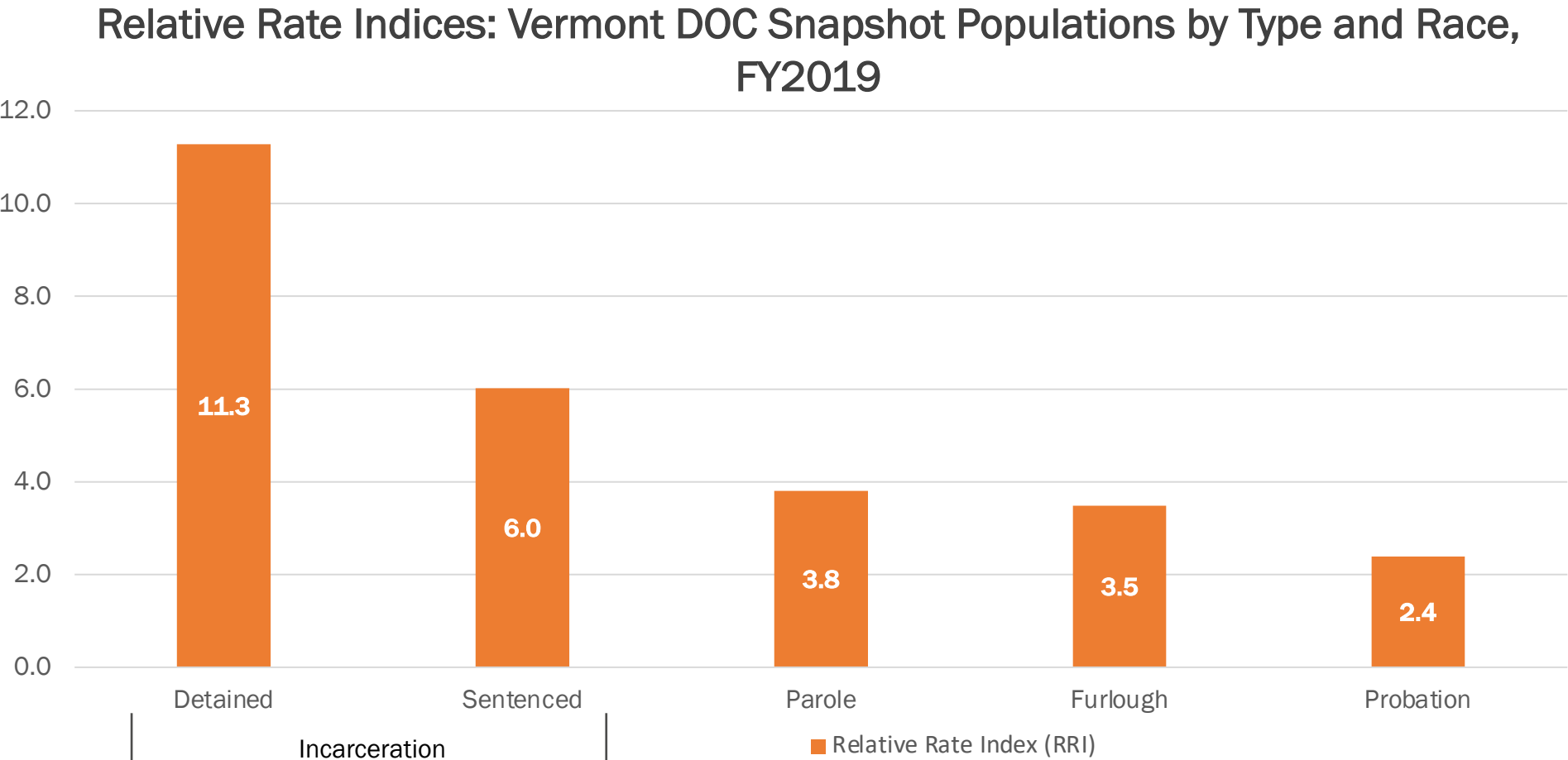




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Additional Results

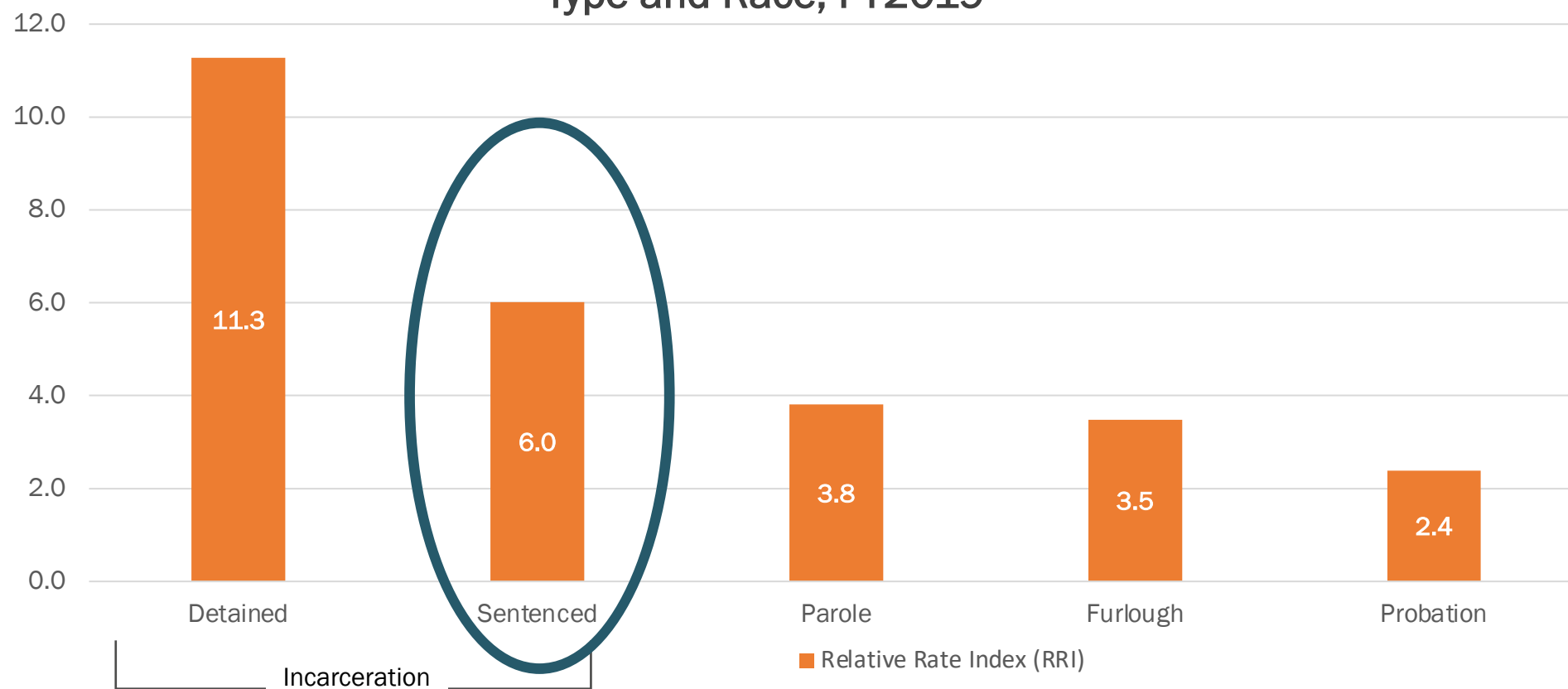
As shown in past CSG Justice Center analysis, Black people are disproportionately represented in all corrections populations, especially among people who are incarcerated.



Prior to August 2020, DOC did not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of the Vermont corrections population that would identify as Hispanic.

Of particular relevance to our new analysis, Black people are **6 times** more likely to be incarcerated in Vermont, relative to White people.

Relative Rate Indices: Vermont DOC Snapshot Populations by Type and Race, FY2019

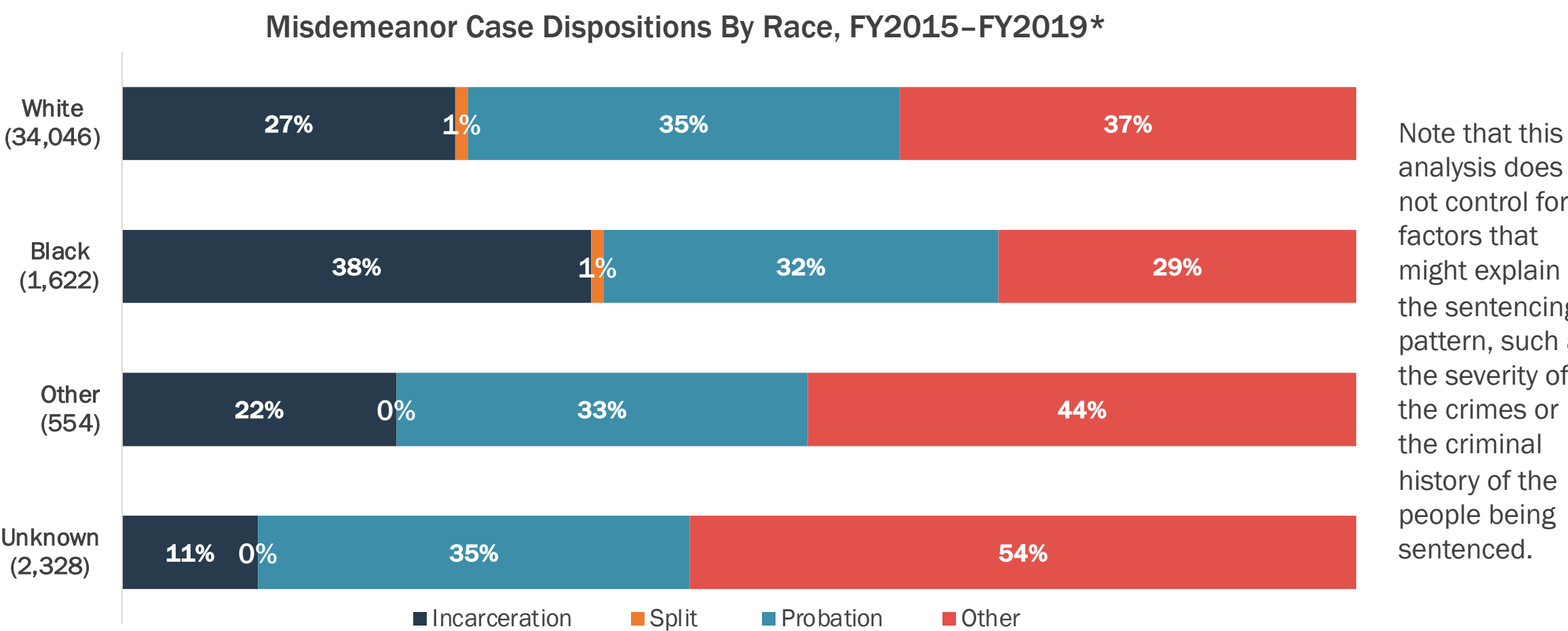


Prior to August 2020, DOC did not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of the Vermont corrections population that would identify as Hispanic.

N=7,647

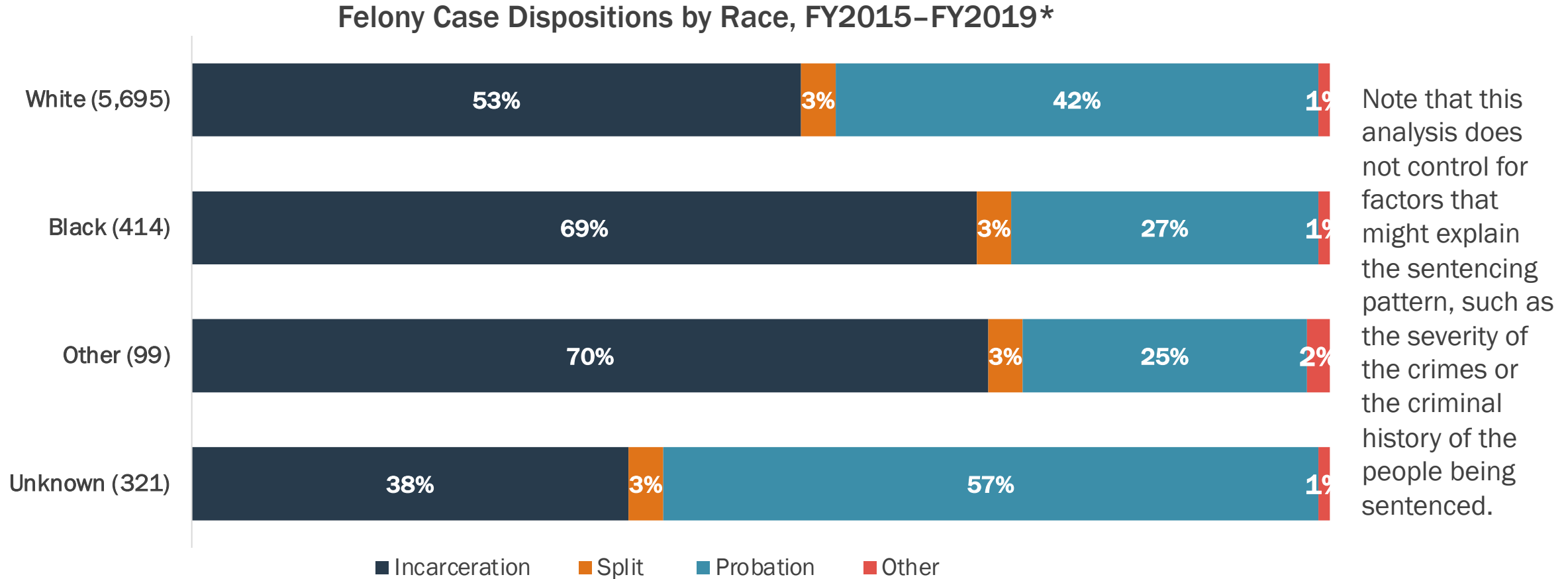
CSG Justice Center analysis of data from the Vermont Department of Corrections; U.S. Census Bureau, Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin, April 1, 2010 to July 1, 2019.

As shown in previous CSG Justice Center analysis, without controls for crimes or criminal history, Black people appear to receive incarceration for misdemeanors more often.



*The Vermont Judiciary does not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of people who would identify as Hispanic.

Without controls for crimes or criminal history, Black people appear to receive incarceration for felonies more often.



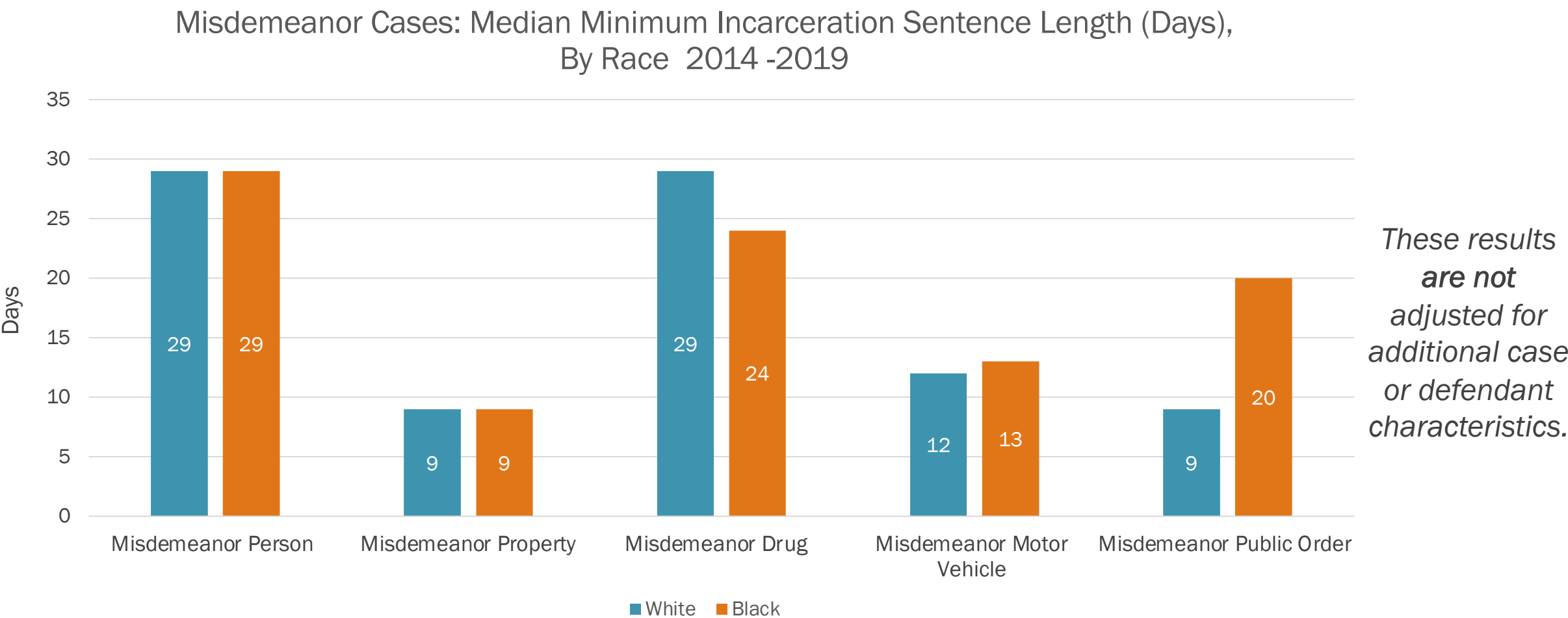
*The Vermont Judiciary does not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of people who would identify as Hispanic.

There was no variation found in length of probation terms or minimum and maximum incarceration sentences by race.

- Statutory guidance seems to have ensured that there is no variation in **average probation lengths** for felony and misdemeanor offenses by race.
- Median lengths for **felony incarceration sentences** are also consistent across demographics.
- Note that this analysis did not control for factors such as the severity of the crimes or the criminal history of the people being sentenced.*

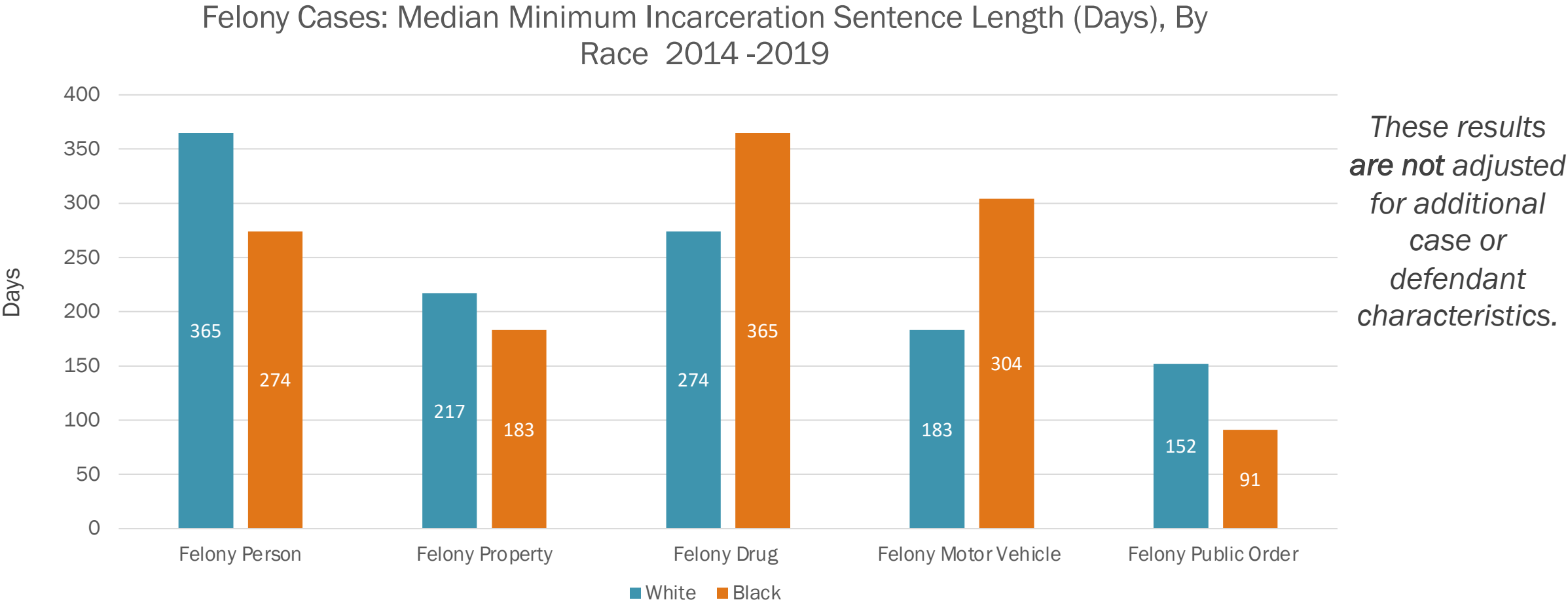
*In addition, the Vermont Judiciary does not collect data on Hispanic ethnicity separate from race; as a result, this snapshot may underrepresent the proportion of people who would identify as Hispanic.

For misdemeanor cases, average incarceration sentence lengths vary by type of offense.



N = 6,423
Source: CSG Justice Center analysis of Vermont Judiciary disposition data

Similarly, for felony cases, average minimum incarceration sentence lengths vary by type of offense.



N = 3,639
Source: CSG Justice Center analysis of Vermont Judiciary disposition data

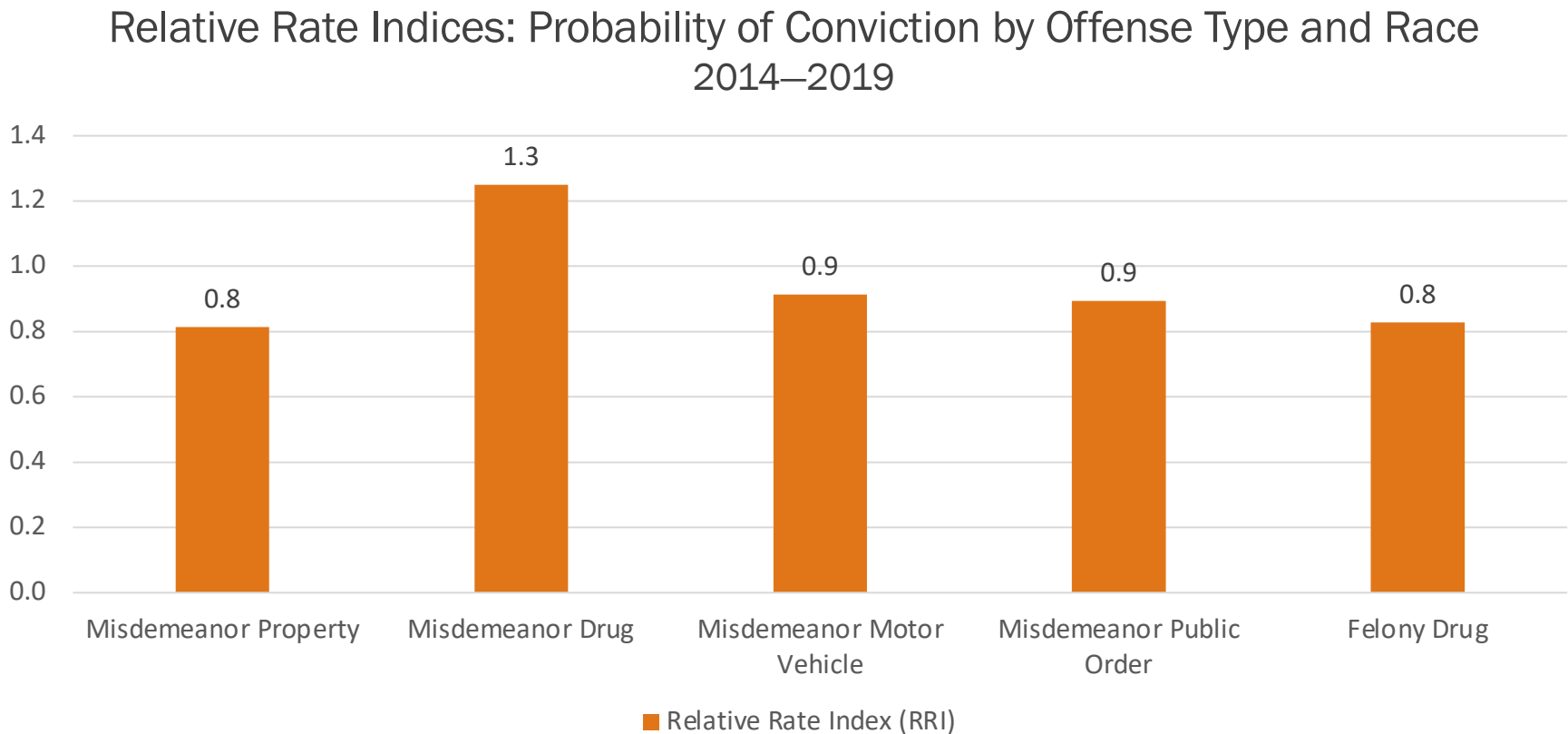
For felony property cases in which a Black defendant is sentenced to incarceration, the most common filed charges are burglary and forgery.

Most Common Felony Property Offenses, by Defendant Race
For Cases Resulting in Incarceration (N=1,120)

White defendants (N=1,046)	Freq. (Pct.)
Burglary	363 (35%)
Grand larceny greater than \$900	186 (18%)
Buy, receive, sell, possess, conceal stolen property greater than \$900	119 (11%)
Burglary into an occupied dwelling	114 (11%)
Forgery-utter/publish an instrument	105 (10%)

Black Defendants (N=74)	Freq. (Pct.)
Burglary	15 (20%)
Forgery-utter/publish an instrument	12 (16%)
Burglary into an occupied dwelling	9 (12%)
Larceny from a person	9 (12%)
Buy, receive, sell, possess, conceal stolen property greater than \$900	8 (11%)

After adjusting for key characteristics, differences in the likelihood of conviction for Black versus White defendants vary by type of offense.

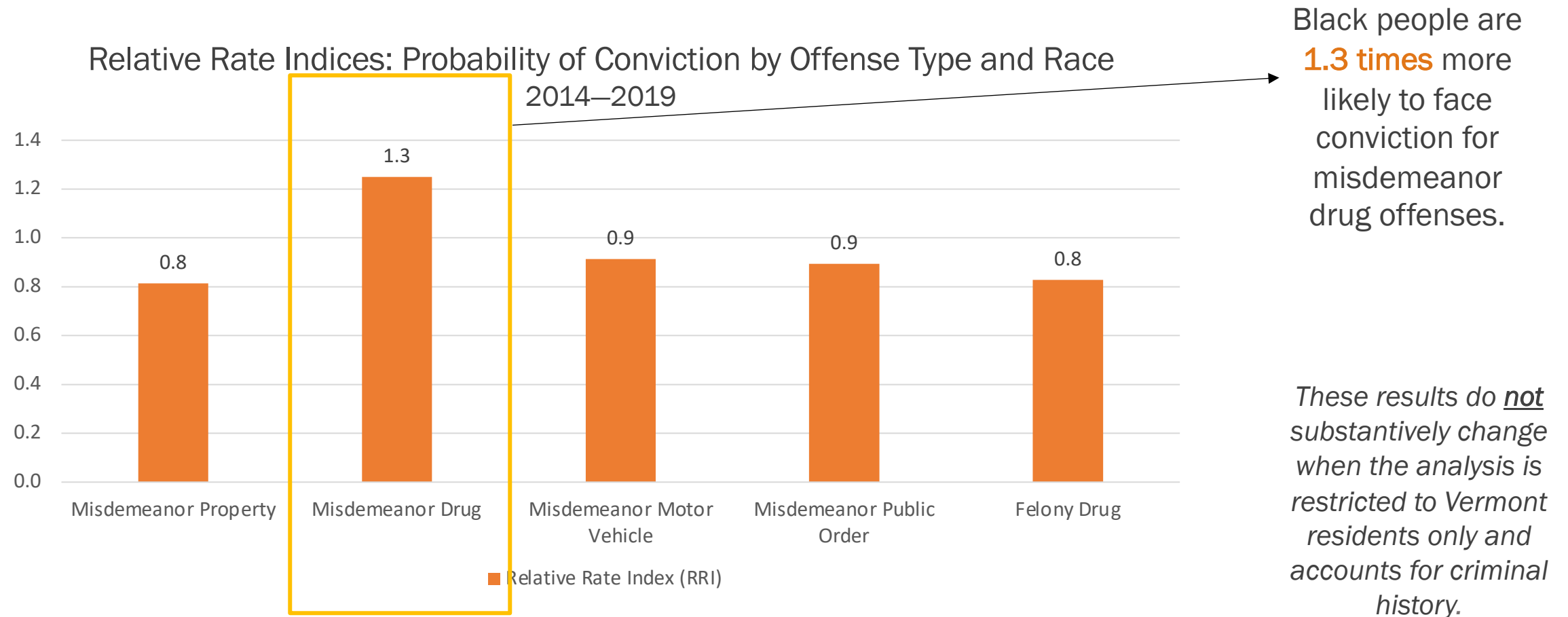


These results do not substantively change when the analysis is restricted to Vermont residents only and accounts for criminal history.

*These results are adjusted for the case and defendant characteristics summarized earlier and are statistically significant. Only statistically significant differences are displayed above.

N=79,514

However, Black people are more likely to face conviction for misdemeanor drug offenses.

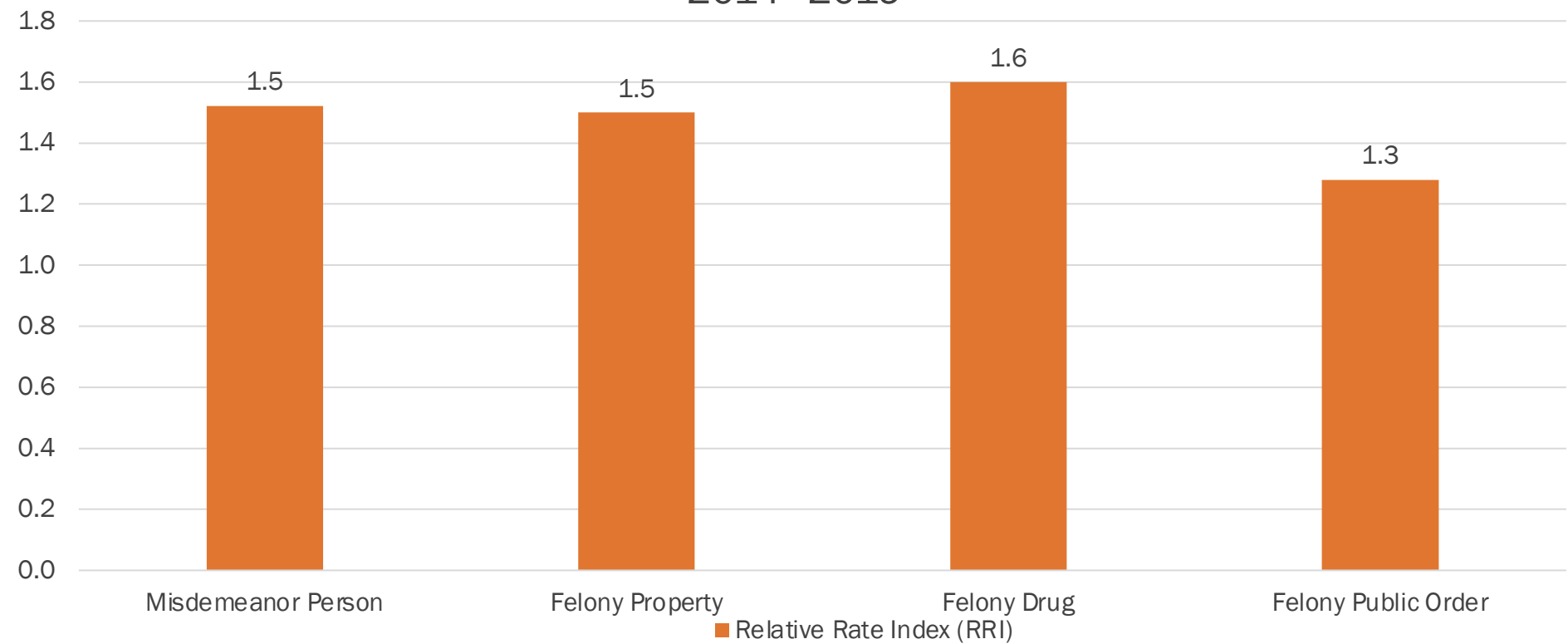


*These results are adjusted for the case and defendant characteristics summarized earlier and are statistically significant. Only statistically significant differences are displayed above.

N=79,514

After adjusting for key characteristics, Black people are more likely to face incarceration for one misdemeanor and three felony offenses.

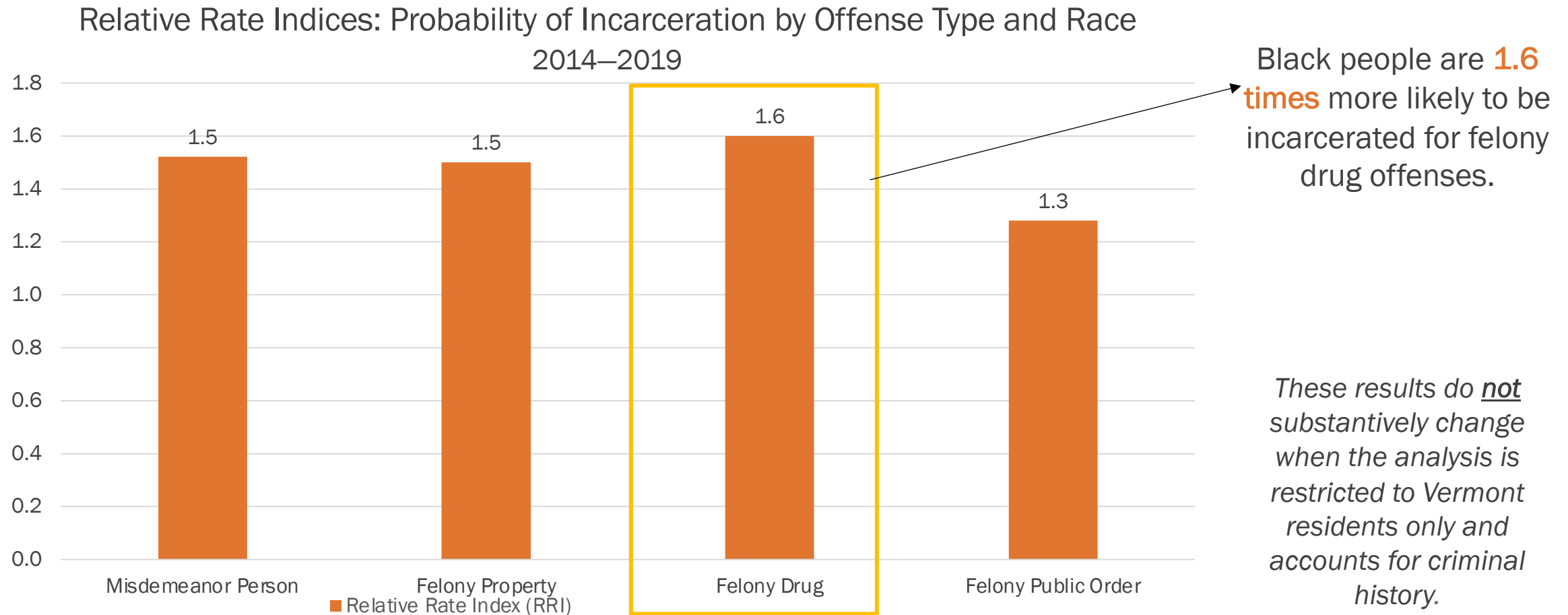
Relative Rate Indices: Probability of Incarceration by Offense Type and Race
2014–2019



These results do not substantively change when the analysis is restricted to Vermont residents only and accounts for criminal history.

**These results are adjusted for the case and defendant characteristics summarized earlier and are statistically significant.*

In particular, Black people are more likely to be incarcerated for felony drug offenses.



**These results are adjusted for the case and defendant characteristics summarized earlier and are statistically significant.*